



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 104<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 142

WASHINGTON, THURSDAY, APRIL 25, 1996

No. 55

## House of Representatives

The House met at 10 a.m.  
The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We accept Your good graces, O God, though we know we miss the mark; we appreciate the wonders of Your world, though we are busy with what is immediate and necessary; we yearn for the blessings of faith, though we don't always understand. Above the demands of the day and more important than all we do, we offer our thanks and praise for the gifts of this day and the hopes and dreams of tomorrow. Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. CARDIN. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. CARDIN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 338, nays 56, answered “present” 1, not voting 31, as follows:

[Roll No. 132]

YEAS—338

Ackerman  
Allard  
Andrews

Archer  
Arney  
Bachus

Baessler  
Baker (CA)  
Baker (LA)

Baldacci  
Ballenger  
Barcia  
Barr  
Barrett (NE)  
Barrett (WI)  
Bartlett  
Barton  
Bass  
Bateman  
Beilenson  
Bentsen  
Bereuter  
Berman  
Bevill  
Bilbray  
Bilirakis  
Bishop  
Bliley  
Blute  
Boehlert  
Boehner  
Bonilla  
Bonior  
Bono  
Boucher  
Brewster  
Browder  
Brown (OH)  
Brownback  
Bryant (TN)  
Bryant (TX)  
Bunn  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Cardin  
Castle  
Chabot  
Chambliss  
Chenoweth  
Christensen  
Chrysler  
Clayton  
Clement  
Clinger  
Clyburn  
Coble  
Coburn  
Collins (GA)  
Combest  
Condit  
Conyers  
Cooley  
Costello  
Cox  
Coyne  
Cramer

Crapo  
Creameans  
Cubin  
Cunningham  
Danner  
Davis  
de la Garza  
Deal  
DeLauro  
DeLay  
Dellums  
Deutsch  
Dickey  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Durbin  
Dyke  
Edwards  
Ehlers  
Ehrlich  
Emerson  
Engel  
English  
Eshoo  
Evans  
Farr  
Fattah  
Fawell  
Fields (LA)  
Fields (TX)  
Flake  
Foley  
Forbes  
Ford  
Fowler  
Fox  
Franks (CT)  
Franks (NJ)  
Frelinghuysen  
Frisa  
Frost  
Furse  
Gallegly  
Ganske  
Garcia  
Gedden  
Gekas  
Geren  
Gilchrest  
Gilman  
Gonzalez  
Goodlatte  
Goodling  
Gordon  
Goss  
Graham  
Green (TX)  
Greene (UT)

Greenwood  
Hall (TX)  
Hamilton  
Hancock  
Hansen  
Hastert  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Hefner  
Herger  
Hinchey  
Hobson  
Hoekstra  
Hoke  
Holden  
Horn  
Hostettler  
Houghton  
Hoyer  
Hunter  
Hutchinson  
Hyde  
Inglis  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson (CT)  
Johnson (SD)  
Johnston  
Jones  
Kanjorski  
Kaptur  
Kasich  
Kelly  
Kennedy (MA)  
Kennelly  
Kildee  
Kim  
King  
Kingston  
Kleczka  
Klink  
Klug  
Knollenberg  
Kolbe  
LaHood  
Laughlin  
Lazio  
Leach  
Lewis (CA)  
Lewis (KY)  
Lightfoot  
Linder  
LoBiondo  
Lofgren  
Longley  
Lowey  
Lucas  
Luther  
Manzullo

Martinez  
Martini  
Mascara  
Matsui  
McCarthy  
McCollum  
McHale  
McHugh  
McInnis  
McIntosh  
McKeon  
McKinney  
McNulty  
Meehan  
Meek  
Metcalfe  
Meyers  
Mica  
Millender  
McDonald  
Miller (CA)  
Miller (FL)  
Minge  
Mink  
Moakley  
Molinar  
Mollohan  
Montgomery  
Moorhead  
Moran  
Morella  
Murtha  
Myers  
Myrick  
Nadler  
Nethercutt  
Neumann  
Ney  
Norwood  
Nussle  
Ortiz  
Orton  
Oxley  
Packard  
Parker  
Pastor  
Paxon

Abercrombie  
Becerra  
Borski  
Clay  
Gekas  
DeFazio  
Dornan  
Ensign  
Everett  
Fazio  
Filner  
Flanagan  
Funderburk  
Gephardt  
Gibbons  
Gillmor

Payne (NJ)  
Payne (VA)  
Pelosi  
Peterson (FL)  
Petri  
Pomeroy  
Porter  
Portman  
Poshard  
Pryce  
Quillen  
Quinn  
Radanovich  
Rahall  
Ramstad  
Reed  
Regula  
Richardson  
Riggs  
Rivers  
Roberts  
Roemer  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Rose  
Roukema  
Roybal-Allard  
Royce  
Salmon  
Sanders  
Sanford  
Sawyer  
Scarborough  
Schaefer  
Schiff  
Schumer  
Scott  
Seastrand  
Sensenbrenner  
Serrano  
Shadeegg  
Shaw  
Shays  
Shuster  
Sisisky  
Skeen

NAYS—56

Gutierrez  
Gutknecht  
Hall (OH)  
Hefley  
Heineman  
Hilleary  
Hilliard  
Jacobs  
Johnson, E. B.  
LaFalce  
Lantos  
Latham  
Levin  
Lewis (GA)  
Lipinski

Skelton  
Smith (MI)  
Smith (TX)  
Smith (WA)  
Solomon  
Soudier  
Spence  
Spratt  
Stearns  
Stenholm  
Stokes  
Studds  
Stump  
Stupak  
Tanner  
Tate  
Tauzin  
Taylor (NC)  
Thomas  
Thornberry  
Thornton  
Thurman  
Tiahrt  
Torricelli  
Towns  
Traffant  
Upton  
Vucanovich  
Walker  
Walsh  
Wamp  
Ward  
Watt (NC)  
Watts (OK)  
Waxman  
Weldon (FL)  
Weldon (PA)  
White  
Wicker  
Williams  
Wise  
Woolsey  
Wynn  
Young (FL)  
Zeliff

Maloney  
Markey  
McDermott  
Neal  
Oberstar  
Oliver  
Owens  
Pallone  
Pickett  
Rush  
Sabo  
Skaggs  
Stark  
Talent  
Tejeda

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper containing 100% post consumer waste

H3821

Thompson      Visclosky      Wolf  
Torkildsen      Volkmer      Yates  
Velazquez      Waters      Zimmer  
Vento      Weller

## ANSWERED "PRESENT"—1

Harman

## NOT VOTING—37

Brown (CA)	Kennedy (RI)	Roth
Brown (FL)	Largent	Saxton
Chapman	LaTourette	Schroeder
Coleman	Lincoln	Slaughter
Collins (IL)	Livingston	Smith (NJ)
Collins (MI)	Manton	Stockman
Crane	McCrery	Taylor (MS)
Diaz-Balart	McDade	Torres
Ewing	Menendez	Whitfield
Foglietta	Obey	Wilson
Frank (MA)	Peterson (MN)	Young (AK)
Gunderson	Pombo	
Johnson, Sam	Rangel	

□ 1025

Mr. HILLIARD changed his vote from "yea" to "nay."

Ms. HARMAN changed her vote from "yea" to "present."

So the Journal was approved.

The result of the vote was announced as above recorded.

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Maryland [Mr. WYNN] come forward and lead the House in the Pledge of Allegiance.

Mr. WYNN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 3055. An act to amend section 326 of the Higher Education Act of 1965 to permit continued participation by Historically Black Graduate Professional Schools in the grant program authorized by that section.

□ 1030

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The Speaker laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
U.S. HOUSE OF REPRESENTATIVES,  
Washington, DC, April 25, 1996.

Hon. NEWT GINGRICH,  
The Speaker,  
U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a copy of the unofficial election returns received from Julian R. Manelli, Deputy Administrator, Maryland State Administrative Board of Election Laws, indicating that, according to the unofficial returns of the Special Election held on April 16, 1996, the Honorable Elijah E. Cummings was elected to the office of Representative in Congress, from the Seventh Congressional District, State of Maryland.

With warm regards,

ROBIN H. CARLE.

STATE ADMINISTRATIVE BOARD  
OF ELECTION LAWS,  
Annapolis, MD, April 17, 1996.

Ms. Robin H. Carle,  
Clerk, U.S. House of Representatives,  
Washington, DC.

DEAR MS. CARLE: Pursuant to your request I am faxing to you the unofficial election results of the 1996 Special Election held on April 16, 1996 in the Seventh Congressional District to fill the vacancy created by the resignation of Congressman Kweisi Mfume.

Should you need additional information please contact this office.

Sincerely,

JULIAN R. MANELLI,  
Deputy Administrator.

## DEMOCRATIC PARTY

(D) Elijah E. Cummings, 2014 Madison Avenue, Baltimore, MD 21217, Baltimore City.

(W) Barry Patrick Farley, 429 West 23rd Street, Baltimore, MD 21211, Baltimore City.

Counties	Cummings	Farley
Baltimore City .....	13,942	0
Baltimore County .....	3,970	24
Total .....	17,912	24
Percent of total votes .....	99	1

## REPUBLICAN PARTY

(R) Kenneth Kondner, 6610 Windsor Mill Road, Baltimore, MD 21207, Baltimore County.

Counties	Kondner
Baltimore City .....	1,061
Baltimore County .....	3,070
Total .....	4,131
Percent of total votes .....	100

SWEARING IN OF THE HONORABLE  
ELIJAH E. CUMMINGS OF MARY-  
LAND AS A MEMBER OF THE  
HOUSE

Mr. HOYER. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland, Mr. ELIJAH E. CUMMINGS, be permitted to take the oath of office today. His certificate of election has not arrived, but there is no contest, and no objection has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. HOYER. Mr. Speaker, I would ask, if I might, for the distinguished gentlewoman from California, NANCY PELOSI, to join us, with the gentleman from Maryland, Mr. CUMMINGS. She is a sister of the former mayor of Baltimore, and a distinguished daughter of the city which Mr. CUMMINGS will represent.

There was no objection.

The SPEAKER. The distinguished gentlewoman from California [Mr. PELOSI] will be welcome in the well, along with the Maryland delegation.

If the delegation will join the Member-elect.

Mr. ELIJAH E. CUMMINGS appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will

bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion, and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God.

The SPEAKER. Congratulations. You are now a Member of the U.S. House of Representatives.

WELCOMING THE HONORABLE ELI-  
JAH E. CUMMINGS TO THE  
HOUSE OF REPRESENTATIVES

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, it is my great honor and privilege, on behalf of all of my colleagues in the Maryland delegation, to first welcome two of America's most outstanding leaders who have represented the Seventh Congressional District which the gentleman from Maryland [Mr. CUMMINGS] now represents.

They are our friends, they were our colleagues, they are great Americans: The Honorable Parren Mitchell, our former colleague; and another example of the extraordinary quality that the constituents of the Seventh District sends to the Congress of the United States, the president and chief operating officer of the NAACP, our former colleague and great American, Kweisi Mfume.

Mr. Speaker, I have the opportunity to introduce to the House their newest colleague. He is the son of Rev. Ruth Cummings and Rev. Robert Cummings. Mr. Speaker, before I make my brief remarks and yield to the minority leader, I would like to acknowledge Senators SARBANES and MIKULSKI, who have joined us from the other body.

Mr. Speaker, although under the rules I cannot recognize them as being in the gallery, and I shall not do so, it has been brought to my attention that the distinguished Speaker of the Maryland House of Delegates, Casper Taylor, will be able to hear my words. Mr. Speaker; with all due apologies to our distinguished friend, Mr. JOHNSON.

Come walk with me. Come walk with me. I say these words with reverence to our newest Member of the House. These are his words, his words which have been spoken often in the chambers of Annapolis, and which I know will be spoken often here to us. Words like these are not heard often enough these days. It is more often "Come fight with me."

But these words represent the heart of what ELIJAH CUMMINGS is all about: A consummate legislator, a dedicated public servant, a consensus builder, a fighter for what is right; a man, as you will all find, of drive and determination, a man who has ascended to leadership through integrity, hard work, and a belief in the good in mankind.

Born in Baltimore City, a graduate of City College in Baltimore, a graduate

of Howard University, where he was president of the sophomore class, junior class, and student government. He graduated, as Members will not be surprised upon knowing him, Phi Beta Kappa. He graduated from the University of Maryland Law School.

ELIJAH CUMMINGS comes to the House with a vast background in working closely in his community, particularly as a mentor and Big Brother to the young people of his city and his community. He is a father figure to many, and always has hoped in time to find the one golden glimmer which will help turn a youth's life around. As an advocate for youth, he is unshaken.

I recall over a year ago when then-Delegate CUMMINGS was accosted outside his Baltimore home and ordered to lie face down on the street while being robbed. Even through this terrorizing experience, he was and remains undeterred, and has never given up his faith in youth.

His service the past 14 years with the Maryland General Assembly, where he was the first African-American in the history of our State to be elected Speaker pro tempore, the No. 2 position in the House of Delegates, has brought him recognition by his colleagues, as well as being one of its most effective members.

ELIJAH CUMMINGS brings the same talent, drive, and personal conviction as his predecessors who I have previously introduced. I encourage you, ELIJAH, to use your spirit of good will in reaching out to all of us to come walk with you.

Join me in welcoming our newest colleague, an extraordinary human being, the gentleman from Maryland, ELIJAH E. CUMMINGS.

Mr. Speaker, I yield to the gentleman from Missouri [Mr. GEPHARDT], the distinguished minority leader.

Mr. GEPHARDT. Mr. Speaker, I thank my colleague. On behalf of all of our colleagues, Democrat and Republican as well, I rise to recognize and welcome our new colleague, the gentleman from Maryland, ELIJAH CUMMINGS. As the gentleman from Maryland, STENY HOYER, has said, this new Member has very big shoes to fill, and those shoes are represented by the two former Representatives in this district who are here today, and we are honored by their presence.

As STENY has said, this young man was born and raised in the same city he now serves, the city of Baltimore. He knows the neighborhoods, the schools, the stores and the churches, because he lived among them all of his life. He has never lost his passion for building a better Baltimore, for giving something back to the city and community that has given so much to him.

As STENY said, he took his Phi Beta Kappa degree from Howard University and his law degree from the University of Maryland, and went right back to Baltimore, building a highly distinguished career as a lawyer, and then serving four terms in the Maryland General Assembly.

In the Maryland House he was a leader on criminal justice issues, on constitutional law, and on economic issues. After one term he was elected chairman of the Maryland Legislative Black Caucus, the youngest person ever to hold that post. Last year he was elected Speaker Pro Tem to the House of Delegates, the second ranking position in the House. His colleagues thought he did such an outstanding job they voted him one of Maryland's most effective legislators in a poll.

Beyond all these titles and accomplishments, Mr. Speaker, I believe ELIJAH will make a difference in this Congress for less tangible reasons than STENY cited: His abiding sense of decency and humanity, his ability to see the subtleties in our public problems, and his determination to pass on to the next generation the opportunities that he earned in his own life.

On behalf of all of us, Republican and Democrat alike, I am delighted to welcome the gentleman from Maryland to the 104th Congress. I think he is going to be a powerful force for progress in his State and in our country, and I know that we will count on his leadership, as Maryland has counted on his leadership, for many years to come. Welcome to the House of Representatives.

Mr. HOYER. Mr. Speaker, I yield to our colleague, the gentleman from Maryland [Mr. CARDIN], the former Speaker of the House of Delegates.

Mr. CARDIN. Mr. Speaker, let me thank my friend, the gentleman from Maryland, for yielding to me.

Mr. Speaker, in 1982 I had an experience similar to the gentleman from Maryland's of presiding over the session when ELIJAH CUMMINGS became a member of the legislature, of the Maryland House of Delegates. I had the opportunity to serve with our new colleague in the House of Delegates, and I can tell each one of the Members that they are in for a treat: a person who is dedicated to public service and dedicated to helping people.

Mr. Speaker, as we have already heard, the torch of leadership in the Seventh Congressional District has not passed very often in the last quarter of a century. ELIJAH is now the fourth person to hold that seat, with Parren Mitchell, who became a leader of this Nation on urban issues, on banking issues, and particularly small business.

Kweisi Mfume was elected a decade ago to this body, the same time I was. We became and are very close friends. Kweisi became a national leader, chairman of the Black Caucus, and has spoken out so well on so many issues. I was very proud when Kweisi was selected as the head of the NAACP. It was a great decision for that organization and for this Nation, but I lost a colleague and a friend in this legislative body.

Today I am very excited that ELIJAH CUMMINGS is taking that position. He will follow in that tradition.

□ 1045

He was an outstanding member of the House of Delegates, holding the vice chairmanships of two of our standing committees. Mr. Speaker, we only have six standing committees in the Maryland House of Delegates and ELIJAH has shown expertise in two of those. He went on to become the Speaker Pro Tem, very actively involved in the leadership of our General Assembly.

So, Mr. Speaker, it is particularly a pleasure for me to say hello and welcome my colleague for so many years in the House of Delegates, now in the Congress of the United States. I know ELIJAH CUMMINGS will add to the great tradition of the Seventh Congressional District.

Over the past quarter century, the torch of leadership has not been passed often in Maryland's Seventh Congressional District. When it has passed, the Nation has come to know that it should take notice, because Maryland's Seventh District has sent leaders of stature and vision.

In 1970, the voters of Baltimore sent Parren Mitchell to the Congress. Over 16 years in the House, Congressman Mitchell became an acknowledged expert and leader on issues finance, banking, and especially small business.

A decade ago, Congressman Mitchell announced his decision to step down. Rising up to take his seat was a young, articulate, but little known city council member named Kweisi Mfume; 1986 marked my own election to the House. Over the past decade, Congressman Mfume and I forged a strong working relationship and close friendship.

In his years in the House, Congressman Mfume rose to become a national spokesman on behalf of African-Americans and all Americans concerned about justice, fairness, and the realization of the American dream.

Congressman Mfume rose, as Congressman Mitchell had before him, to chair the Congressional Black Caucus. From that post, he used his exceptional skills as a tactician, an orator, and as a strategist to fight effectively for the people of his district and the Nation.

Nobody was prouder than I when, this winter, the NAACP announced that Congressman Mfume would become its new CEO and President.

While I miss my good friend in this body, I am excited over the prospect of serving with the newly elected Congressman from the Seventh.

ELIJAH CUMMINGS is an honorable and able successor as the representative of the Seventh District. He brings all the dedication, intelligence, and vision that distinguished his two predecessors, and I have no doubt he will follow in their footsteps as a national leader.

Elijah and I have served together before, in Maryland's House of Delegates. I was delighted to welcome him to Annapolis in 1982 when he arrived as a new member.

In his 14 years in the State legislature, he has demonstrated a talent for legislative craftsmanship and responsiveness to the concerns of the people he represents that will serve him—and the Nation—well here in Congress. He also has a gift for building consensus and bringing people together that this body desperately needs.

His colleagues in Annapolis have recognized his leadership, as he has risen to be

chairman of Maryland's Legislative Black Caucus, the youngest person ever to attain that position.

As vice chairman of the House Constitutional and Administrative Law Committee and as vice chairman of the Economic Matters Committee, he has acquired a wealth of expertise and experience that he will now bring to bear on the considerable problems facing this Nation. Most recently, he became Speaker Pro Tem of the House of Delegates, the second highest position of leadership in that body.

I am delighted to join my other colleagues in welcoming my neighbor to the House of Representatives. I am sure he will follow in the proud tradition of his district and enjoy a long and distinguished career here in the people's House.

Mr. HOYER. Mr. Speaker, I would now like to yield to a gentleman who served with ELIJAH in the House of Delegates and then was his colleague as a member of the Maryland State senate, will now be again his colleague here in the House of the people, the distinguished Representative from the Fourth Congressional District of Maryland, Mr. ALBERT WYNN.

Mr. WYNN. Mr. Speaker, I thank my friend and colleague for yielding.

In 1983 I was elected to the Maryland House of Delegates. As I looked around the orientation, I noticed another young man who really impressed me. That man stands before you today.

So I can tell you from personal experience, having stood shoulder-to-shoulder with ELIJAH CUMMINGS, that he is a true worker for people. I do not have to tell you a lot. Let me simply say that I have watched this man and worked with this man. He has worked for economic development, but he has never forgotten the needs of the downtrodden or the less fortunate. He brings to this House tremendous compassion.

All Members need to know about ELIJAH CUMMINGS is that he is a man of tremendous sincerity, commitment, compassion, and faith in God. He will do a wonderful job for the people of the Seventh Congressional District. He will do a wonderful job for the people of this country. I am looking forward to working with him. Congratulations and welcome, ELIJAH.

Mr. HOYER. Mr. Speaker, the last person before I introduce Mr. CUMMINGS or yield to Mr. CUMMINGS is the dean of the Republican delegation. We are one delegation, but the dean of our Republicans, the distinguished gentlewoman from Montgomery County who herself served with Mr. CUMMINGS, CONNIE MORELLA.

Mrs. MORELLA. Mr. Speaker, I thank the distinguished gentleman for giving me the opportunity to congratulate not only Congressman CUMMINGS but all of us in the 104th Congress for having him added to our numbers. He will speak in a very strong voice, with compassion, with justice, with knowledge.

Indeed, it has been mentioned that he has been handed quite a legacy. Our very good friends who have represented

that district so well who are here today: Kweisi Mfume, whom I consider one of my dearest friends, who was elected with me and BEN CARDIN to the historic 100th Congress; BARBARA MIKULSKI, our Senator who also represented that district. Senator SARBANES, did you represent that district? You did in your heart, that is for sure.

But we all reflect the kind of fine work that has been done there, and I did have the grand opportunity to serve for 4 years with Congressman CUMMINGS in the House of Delegates. Very proud of your background, the temperament, the compassion, and I particularly like the fact that here is a man who is going to work for the American people, both sides of the aisle. He is not predisposed to any one specific myopic kind of philosophy. He wants to work for the American people, for the people of Maryland. I salute him and I congratulate him.

Mr. HOYER. Mr. Speaker, I thank the gentlewoman. I might observe that our senior Senator has always served every district in our State.

Ladies and gentlemen, I am deeply honored to introduce to you a very fine human being who we will be privileged to serve with and walk with, ELIJAH CUMMINGS.

Mr. CUMMINGS. Thank you very much, Mr. Speaker and Members, to the Maryland congressional delegation, to two of my mentors, both of whom I love. Their spirit is a part of my spirit. Their hopes and dreams are part of my hopes and dreams.

To Kweisi Mfume and Parren J. Mitchell, I just want you to know that I love you, and I thank you for all that you have done for the city of Baltimore, the State of Maryland, the Nation, and the world. I appreciate you.

To my family and friends and to the members of the Maryland Legislature who are up there, only God could create this path, only God. Only God could create a path where the son of two sharecroppers from Manning, SC could rise to represent the people of the Seventh Congressional District in the Congress of the United States of America. Only God, and so I must first thank God for this opportunity.

I also thank Him for giving me the strength, the humility, and the courage to walk the path that He has given me. So often we in public life forget that we are very fortunate to come upon this Earth and have an opportunity to serve. So often we forget, because we get so caught up in our battles and our struggles, that so many people wish they could have the problems we have.

So I am just a happy, happy man. I am also very happy, they tell me it is unusual for Members of the other body—I have got to get this language right—to come over, but my two Senators, I want to thank you for being here and for all that you have done. It is not just that they are here today, but they have been walking with me for a long time, and I appreciate you.

Mr. Speaker, I represent a diverse district, a very diverse district. We have people who have a lot of problems. We have people who have very nice homes. We have people who are struggling just trying to make it. It honors me tremendously to know that they would send me here to represent them.

I have often said on the floor of the Maryland House of Delegates that our world would be a much better world and a much better place if we would only concentrate on the things we have in common instead of concentrating on our differences. It is easy to find differences, very easy. We need to take more time to find common ground.

So my mission is one that comes out of a vision that was created long, long ago. It is a mission and a vision to empower people, to make people realize that the power is within them, that they, too, can do the things that they want to do. So I am about that mission. I am looking forward to joining with all of you as we travel this road I often call journey, which I define as life.

There is a poem that Parren Mitchell said many, many years ago, that I say sometimes 20 times a day, and it is a very simple poem but it is one that I live by. It says: "I only have a minute, 60 seconds in it, forced upon me, I did not choose it, but I know that I must use it, give account if I abuse it, suffer if I lose it, only a tiny little minute, but eternity is in it."

So I join you as we move forward to uplift not only the Nation but the world. May God bless you all and may God bless America.

#### RESIGNATION AS MEMBER OF COMMITTEE ON VETERANS' AFFAIRS

The SPEAKER pro tempore (Mr. LAHOOD) laid before the House the following resignation as a Member of the Committee on Veterans' Affairs:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, April 22, 1996.

Hon. NEWT GINGRICH,  
Speaker of the House,  
Washington, DC.

DEAR MR. SPEAKER: I hereby resign my position on the Committee on Veterans' Affairs.

Sincerely,

MAXINE WATERS,  
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

#### ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. FAZIO of California. Mr. Speaker, I offer a privileged resolution (H. Res. 414) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### HOUSE RESOLUTION 414

*Resolved*, That the following named Members be, and that they are hereby, elected to

the following standing committees of the House of Representatives:

To the Committee on Government Reform and Oversight, ELIJAH CUMMINGS of Maryland; to the Committee on the Judiciary, MAXINE WATERS of California; and to the Committee on Transportation and Infrastructure, ELIJAH CUMMINGS of Maryland.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that he will take ten 1-minutes on each side.

#### DELAY TRUMPETS SPENDING BILL

(Mr. DELAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELAY. Mr. Speaker, last night the Appropriations Committee did a great job in working with the President and forcing him to be fiscally responsible. By getting an agreement to curtail spending in the 1996 omnibus appropriations bill, Republicans were finally able to cut back on Washington spending, and I am very proud of that.

Today we will save the taxpayers \$43 billion from last year's spending levels. We zero out 200 programs. We will keep on track to a balanced budget. And, most important, we will take a giant leap toward fiscal sanity.

Mr. Speaker, the American people put the Republicans in the majority because they wanted more responsible Government from their Congress, and we have delivered on our promises. My friends, this is the biggest taxpayer savings since the end of the Second World War, and we did not raise one dime of taxes.

By passing this spending bill, we take a giant step forward for the American family, and I just want to commend Chairman LIVINGSTON and his committee for his patience and great work on this legislation.

#### LET US PASS A MINIMUM WAGE INCREASE

(Mr. VOLKMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VOLKMER. Mr. Speaker, the radical right of the Republicans is at it again. Although the vast majority of the American citizens, the majority of the Members of this House, the majority of the Members of the other body, and the President of the United States all say we should have an increase in the minimum wage. Well, imperial Speaker GINGRICH and the Presidential nominee of the Republican Party, BOB DOLE, say, "No, we are not even going to let you vote on it." The minimum wage is presently at a 40-year low as far as buying power. They will not even

let us have a vote on it. That is the radical right of the Republican Party.

I say let the House vote on a minimum wage. Let us vote on it now. Let the other body vote on a minimum wage. Let us vote on it now. What are you afraid of? You are afraid of giving the working poor a little more money for their work. That is what you are afraid of. You do not want to do that. You want to give the wealthy a big tax cut. You say that is who needs the money. I say let us pass a minimum wage.

#### THE MINIMUM WAGE

(Mr. LINDER asked and was given permission to address the House for 1 minute.)

Mr. LINDER. Mr. Speaker, it is fascinating, the gentleman from Missouri was not here 2 years ago asking to help the working poor with an increase in the minimum wage, because he had the House controlled by Democrats, the Senate controlled by Democrats, and the White House. They were not concerned about them then.

Let me tell you what the Wall Street Journal Review and Outlook call them in 1996. Remember when Bill Clinton claimed he was a new Democrat precisely because he did not favor a higher minimum wage? Time Magazine, by Michael Kramer, from an earlier speech by Bill Clinton: "It"—raising the minimum wage—"is the wrong way to raise incomes of low-wage earners." I think the President was right then. I think he is right now.

□ 1100

The increase in the minimum wage by the President's own chief economist will cost low-income earners 100,000 jobs. That is not the way to raise the income of workers. Cutting taxes is.

#### AMERICA SUPPORTS RAISING THE MINIMUM WAGE

(Mr. PALLONE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALLONE. Mr. Speaker, again I do not understand what the argument is about which Congress tried or did not try to raise the minimum wage. The bottom line is we know now we have a majority in both Houses, mostly Democrats, but also enough Republicans, so that we could pass the minimum wage if it was only brought up for a vote on the floor right now.

The problem is that the Republican leadership, Speaker GINGRICH and the others, do not want to bring it up for a vote. They had a meeting yesterday and all the newspapers today say they refuse to bring it up for a simple up or down vote. The reason they will not bring it up is because they know it will pass.

The American people favor this, four out of five in all the recent polls, and the majority in the House of Rep-

resentatives and the Senate and the President of the United States. So why not bring it up?

Very simple: They do not want to do it. Instead, they have come up with some bureaucratic cockamamie proposal to essentially use a government subsidy to help certain families, but not everyone.

Why in the world are we talking about a government subsidy to employers so that they do not have to pay a higher wage, a living wage? It makes no sense.

#### CHANGING THE WAY GOVERNMENT IS DONE IN WASHINGTON

(Mrs. CUBIN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CUBIN. Mr. Speaker, today we will end months of intense negotiation with the administration on the omnibus appropriations bill, which provides funding for the Departments of Commerce, Interior, State, Labor, Justice, Housing and Urban Development, Veterans, and Health and Human Services.

Mr. Speaker, this Congress has achieved historic savings in the Federal budget. We have saved taxpayers \$43 billion, resulting in the lowest projected deficit in 14 years and the single largest cut in government since World War II.

Please remember, the President does not spend one penny; the Congress spends the money, and this Republican Congress is responsible for cutting the deficit \$43 billion, keeping our word, and changing the way government is done in Washington.

#### BACKWARD ECONOMICS

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, see if this makes any sense: Uncle Sam gives billions of dollars to Russia in foreign aid; Russia then uses American money to build weapons. Uncle Sam then gives billions of dollars to China through the most-favored-nation trade program; China then buys weapons from Russia with money made in America.

Now, China makes money, Russia makes money, and, meanwhile, to stay afloat, America borrows money from Japan. America then uses that borrowed money from Japan to protect Japan and to protect Japanese oil in the Persian Gulf. That is right, Japan gets 95 percent of their oil from the Persian Gulf. Meanwhile, back in America, Americans are not only paying higher fuel taxes, they are now paying \$2 for a gallon of gasoline.

Beam me up here. Somebody in Washington, DC, does not need to see any more economists, they need to visit a proctologist. Folks, this thing is all screwed up.

I yield back the balance of all these Btu's.

### BIG SAVINGS FOR AMERICAN TAXPAYERS

(Ms. DUNN of Washington asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DUNN of Washington. Mr. Speaker, today the 104th Congress will vote to end big government. By the end of the day today, we will have saved taxpayers \$43 billion over the length of the 104th Congress, the largest single cut in government spending since World War II. Translation: \$688 for a family of four.

With passage of today's legislation, this Congress will end over 200 programs, more than 100 in Labor, Health and Human Services alone, \$12 million on a tick eradication program for cattle in Puerto Rico, and \$14 million for the U.S. Travel and Tourism Association.

The bill strengthens priority programs that our constituents said are important to them: An additional \$400 million for veterans medical benefits, support for our troops in Bosnia, and antiterrorism programs in Israel.

This bill does not just put the brakes on runaway Federal spending, it reverses it. Finally America's values have triumphed over Washington, DC, values. This truly is a historic day.

### GIVE AMERICA A RAISE

(Mr. MARKEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARKEY. Mr. Speaker, Harry Truman used to say that the Republican Party supports the minimum wage: The lower the minimum, the better. Now that we are at a historic minimum, the Republicans will not even give the American people a vote on the floor of the Congress so we can give America a raise, and that is wrong.

Mr. Speaker, I remember when I was a boy, and minimum wage jobs, when the minimum wage went up 20 cents, it was a raise. It gave you something to be proud of. It gave you a little extra money.

For Americans to get an extra one buck an hour is \$1,800 a year. That is the average 40-hour workweek. That is a lot of money for families. You can buy a lot of food and health care with \$1,800. That is \$1 an hour.

Give America a raise. Give people who make the minimum wage the decency of allowing them to fulfill Harry Truman's promise for this country.

### PRESIDENTIAL PROMISES NOT FULFILLED

(Mr. FRANKS of Connecticut asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FRANKS of Connecticut. Mr. Speaker, today is Take Your Daughter to Work Day. Being a position role

model and raising a child's self-esteem are noble objectives. However, for too many of those who represent our weakest links in our society, there is no father in the house to bring a child to work, and the mother, she gets a quasi-minimum wage increase by simply having another baby.

Once upon a time there was a candidate for President who said he would end welfare as we know it. Since that slogan apparently helped Mr. Clinton get elected in 1992, I guess the 1996 slogan will be "Really, folks, some day I want to end welfare as we know it." The record would show that Mr. Clinton took 2 years to even introduce an outline of a bill, and he has vetoed welfare reform twice.

Truly the only missing ingredient between taking the first step toward welfare reform and the continuation of this vicious cycle of government dependency is President Bill Clinton.

### RAISE THE MINIMUM WAGE

(Mr. WYNN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WYNN. Mr. Speaker, once again I rise to support the minimum wage. People will tell you that while this is just an issue about young teenagers, that is absolutely untrue. Seventy-five percent of the people who make the minimum wage are adults. Fifty-eight percent of them are women, and they head households.

Do you know how much you make a year off the minimum wage? \$8,400 a year, doing some of the dirtiest, most unpleasant, hardest work we have in this country.

Now, I cannot understand why we cannot increase the minimum wage. There are bipartisan majorities in both Houses willing to support a \$1 increase in the minimum wage. So why will the Republican leadership not bring it up?

The fact is that the Republican leadership makes over \$100,000 a year. People on minimum wage make \$8,400 a year. Is it too much to ask to give these people, these women, these hard-working Americans, a raise of \$1? I do not think so.

Again, I reiterate, we ought to raise the minimum wage.

### A GOOD DAY FOR THE AMERICAN TAXPAYERS

(Mr. LEWIS of Kentucky asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Kentucky. Mr. Speaker, today is a good day for American taxpayers. It is a day they have waited for for many, many years. Today the House and the Senate will consider and pass the omnibus appropriations bill.

This bill represents the values of ordinary American taxpayers. It represents the values of people who work hard and play by the rules. It rep-

resents the values of people who are tired of seeing one-quarter of their income going to a Federal Government that has racked up a \$5 trillion national debt.

This bill rejects the values of Washington. It is a departure from the tax, tax, spend, spend philosophy of the true extremists, the status quo Clinton liberals. This bill rejects the values of all the liberal special interests who have dominated this House for 40 years.

Mr. Speaker, this Congress can be proud that we are making the changes demanded by the American people. This new Congress is saying no to Washington's values and yes to American values.

### RAISE MINIMUM WAGE NOW

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, yesterday NEWT GINGRICH and his leadership team stiffed America's hardworking families once again. These are the families who work hard; they play by the rules. They are working longer and harder to pay the bills to save for education and for retirement.

These families support an increase in the minimum wage. Eighty-four percent of the American people favor raising the minimum wage, everyone, that is, except for the House Republican leadership.

Yesterday the Republican majority leader said he will not schedule a vote on the minimum wage. Why do House Republicans continue to give working families the back of their hand rather than extending a hand? Because, as a top business lobbyist said yesterday, we made them, and this is a quote, "We made them the majority." Republicans continue to pay off their special interest pals rather than helping America's hardworking families.

Mr. Speaker, this is the people's House, not the House of special interests. Stop hurting working families in this country. Raise the minimum wage now.

### MEDICARE'S PENDING BANKRUPTCY

(Mr. FUNDERBURK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FUNDERBURK. Mr. Speaker, how long are the Clinton Democrats going to ignore reports that Medicare is going broke? How long are they going to jeopardize the future of our parents' and grandparents' health?

Mr. Speaker, new Government reports show a \$4.2 billion shortfall in Medicare for the first half of this fiscal year, \$4.2 billion.

Just last year the Clinton administration predicted Medicare would take in \$45 billion more. It seems the Clinton administration was wrong. When

President Clinton had the chance to reform Medicare, he chose his veto pen and MediScare, scaring seniors over our seniors' health care security. The President is ignoring Medicare's impending bankruptcy, something our seniors cannot afford.

#### RAISING MINIMUM WAGE A MORAL ISSUE

(Mr. LEWIS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Georgia. Mr. Speaker, the Republicans in this House just do not get it. The American people want an increase in the minimum wage. They know, Mr. Speaker, even if you do not, that raising the minimum wage is the right thing to do.

This is not just an economic issue, this is a moral issue. Mr. Speaker, you have the capacity, you have the ability, to bring a clean minimum wage bill to this floor. Do not fight, Mr. Speaker, what is right; do not fight what is right.

On this issue there is a national bipartisan consensus. Let us do what the American people want us to do. Let us do what is right. Let us raise the minimum wage. Struggling, hardworking people deserve the right to earn a livable income. Raise the minimum wage. Raise it now.

#### MISAPPLICATION OF THE INDIAN CHILD WELFARE ACT

(Ms. PRYCE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PRYCE. Mr. Speaker, I rise today with just one illustration of the absolute tragedy and heartbreak being experienced right now by countless children and their families due to the misapplication of the Indian Child Welfare Act, or ICWA.

A couple from my district in Columbus, OH, adopted twin girls. Both biological parents consented and even chose this family that they wanted the girls to be placed with. After 6 months, as they went on to finalize the adoption, they found out that it was being contested under ICWA, which gives the tribe the final say in custody proceedings involving Indian children.

Although only one of the twins great-great-grandparents was native American, a judge in California ruled that that was enough to trigger ICWA.

These stories are commonplace and have to end. As a result of this misapplication of the law, two little girls almost 3 years old now still await the permanence and stability of the only family they have ever known, and they fear what fate might await them at the hands of the court.

Mr. Speaker, I urge my colleagues to support the Adoption Stability Act of 1996.

#### TIME TO VOTE ON A CLEAN MINIMUM WAGE INCREASE

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, we have heard this morning, and I am glad, that after a year of threatening cuts in education funding, I am glad that the Congress and the President yesterday and today will consummate it and restore the drastic and extreme education cuts that they have been fighting a year over, and I am glad the Republican majority saw the light.

□ 1115

But, really, what I want to talk about today is the minimum wage. Americans strongly support an increase in the minimum wage. In fact, the latest national poll shows at least 80 percent of Americans support an increase in the minimum wage, and yet the majority of the Republicans oppose an increase, and some even oppose the minimum wage.

In fact, yesterday the House Republican leaders decided not to even bring up a minimum wage increase for a vote. The only thing we have heard of is a measure to provide another Government subsidy for people who work at \$4.25 an hour. More welfare instead of someone being able to work their way off of welfare. That is not what the American people want.

Republicans talk a lot about moving people off of welfare and into work, but people need a livable wage to do this. Members can talk the talk, but they need to walk the walk. American families are working harder than ever, but it is tough to get ahead when working full time does not put enough money in your opinion pocket to put food on the table.

#### HONORING ROSHA BOOKER OF ROME, GA

(Mr. BARR of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARR of Georgia. Mr. Speaker, I rise today to honor one of my constituents from Rome, GA, Ms. Rosha Booker, as an example to this Congress and to the country that one person can make a difference. Rosha's commitment to her community, and especially to its children, has established her as a leader and a doer.

Rosha had few of the benefits many of us enjoy, such as a fine education. But she did not let personal adversity hold her back. She got her GED and she got involved.

As president of her residents association, she has taken the lead in attacking drug abuse; and initiated countless activities for young people, from constructive and motivational programs, to workshops designed to give children alternatives to drugs and violence.

Last year Rosha came up with Make a Difference Day. She organized a community yard sale and a fall fair, bringing together residents of her community, tenants association, and local police to stress public safety and the importance of respect for law enforcement.

USA Weekend Magazine has just recognized Rosha in its Sunday magazine as one of the Nation's leading volunteers working for a better America. USA weekend chose wisely.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3024 AND H.R. 1972

Mr. TOWNS. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3024 and H.R. 1972.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from New York?

There was no objection.

#### WOMEN MAKE UP 59 PERCENT OF MINIMUM WAGE EARNERS

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous material.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, to make it perfectly clear, I am very glad we finally won the victory, with the help of the President, and the Democratic caucus, to restore cuts in education, to restore the 100,000 police. Today we will vote on a good appropriations bill. We are working for America.

But what we really need to talk about is not the blame game regarding the minimum wage, we really need to talk about the pain in America. A few things we should consider in the argument to raise the minimum wage are that women are the ones that make up 59 percent of the minimum wage earners and nearly three-quarters of them are adults. Further, on average, women are still paid only 72 cents for every \$1 men earn, and after inflation the value of the minimum wage is now 29 percent lower than it was in 1979.

If we do the right thing and the fair thing and raise the minimum wage, just by 90 cents, from \$4.25 to \$5.15 an hour, that alone would lift an estimated 300,000 people out of poverty, including 100,000 children.

Let us not play jokes on the American people. Raise the minimum wage for America and for its working people.

#### LET TAXPAYERS SEE WHAT GOVERNMENT REALLY COSTS

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, in 1943 Congress passed the withholding tax



law. This painless collection method was described by one Senator as the best way to "get the greatest amount of money with the least amount of squawks."

Unfortunately for us all, he was right.

In fact, a recent poll showed that 54 percent of America's taxpayers have no idea how much of their income is withheld. It is the ultimate hidden tax, the best way to obscure the truth about taxes and the best way to obscure the cost of governing.

I want Americans to see what their Government costs. So I've introduced legislation that would allow workers to pay their taxes monthly, writing a check to the IRS just like they pay their mortgages, their car payments, and their rents.

In this way, taxpayers could see how much the Government is taking from their paychecks and how expensive their Government is. They would be able to determine for themselves whether or not they are getting their money's worth.

I urge my colleagues to cosponsor this legislation, which simply lets the taxpayers see how much their Government really costs.

#### AMERICANS HAVE WON A VICTORY WITH REGARD TO BUDGET NEGOTIATIONS

(Mr. DOGGETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOGGETT. Mr. Speaker, the American people have won a victory with reference to these budget negotiations. We are reversing the deficit spiral under Republican administrations in the 1980's. We are making continued progress toward balancing the budget. It is, as my Republican colleagues have said this morning, a historic moment. It is just that they miss what the historic moment is all about. For, as my colleagues can see, all of this could have been accomplished last year without the Gingrich goofs, without the Government shutdowns that cost the American people \$1.5 billion, without the pain that that caused people all over this country.

Today we have achieved this negotiation without taking cops off the street, as they wanted to, without savaging the School Lunch Program, without wrecking the environment. We have accomplished this because the American people have spoken out and said they have had enough of extremism. We Democrats did not have a majority of votes to accomplish this, but we had a majority of right on our side, and thanks to the involvement of the American people we have said no to the Gingrich extremists and achieved a victory.

#### VIETNAM VETERANS AND MEN OF CONSCIENCE CANNOT VOTE FOR THE APPROPRIATIONS BILL

(Mr. DORNAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN. Mr. Speaker, item in this week's April 29 U.S. News & World Report. "Clinton Won't Dodge Vietnam." That is their word, "dodge," not mine.

Although Bill Clinton went to great lengths to avoid going to Vietnam during his draft age years, try three times, the President, who made a round-the-world swing last week, has put the southeast Asian nation, that is Communist Vietnam, at the top of his must see list next year if he gets reelected.

Then the paragraph closes, like every other recent President, Clinton, they say, wants to be remembered mainly as a peacemaker. Well, at Oxford, ditching classes and flunking out and not getting his degree, he made sure that the killing fields would prevail in Cambodia and Laos and 68,000 of our friends would be executed in Vietnam.

I cannot vote, Mr. Speaker, for the appropriations bill today, not because my HIV language was taken out. I would have traded that off for the two great pro-life provisions, but Clinton thinks with his infanticide vote he has locked up all the abortion industry. He wanted to get back the homosexual industry. It is this POW bracelet. Any veteran or man of conscience cannot vote for the appropriations bill today.

#### WAIVING REQUIREMENT OF CLAUSE 4(b) OF RULE XI WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. MCINNIS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 412 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 412

*Resolved*, That the requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported from that committee before April 27, 1996, and providing for consideration or disposition of any of the following measures:

(1) A bill making general appropriations for the fiscal year ending September 30, 1996, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

(2) A bill or joint resolution that includes provisions making further continuing appropriations for the fiscal year 1996, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

The SPEAKER pro tempore. The gentleman from Colorado [Mr. MCINNIS] is recognized for 1 hour.

Mr. MCINNIS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY],

pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. MCINNIS asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. MCINNIS. Mr. Speaker, House Resolution 412 is a simple resolution. The proposed rule merely waives the requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House for resolutions reported from the committee before April 27, 1996, under certain conditions.

This narrow, short-term, waiver will only apply to special rules providing for the consideration or disposition of measures, amendments, conference reports, or items in disagreement from a conference that: make general appropriations for fiscal year 1996, or provisions making continuing appropriations for fiscal year 1996.

Mr. Speaker, House Resolution 412 is straightforward, and it was reported by the Committee on Rules with unanimous voice vote. The distinguished Member, Mr. MOAKLEY, stated in the Committee on Rules that he had no objections to this rule. The committee recognized the need for expedited procedures to bring these legislative measures forward as soon as possible. Simply put, we must move quickly before temporary spending authority expires at midnight tonight. Mr. Speaker, we have reached an agreement with the White House and it is time to move forward.

The agreement we reached last night will result in 1996 discretionary spending being \$23 billion less than last year's level, and the additional funding for the administration's programs is offset by reductions and saving in other areas. I urge my colleagues to support House Resolution 412.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I thank my colleague from Colorado, Mr. MCINNIS, for yielding me the customary one-half hour and I yield myself such time as I may consume.

Mr. Speaker, this rule waiving the two-thirds requirement for same day consideration of a bill will finally enable the House to bring up the omnibus appropriations bill.

After 6 months of waiting for my Republican colleagues to pass the 13 appropriations bills, we are finally going to be able to bypass their Appropriations Committees and get our Government back on its feet.

Federal workers won't have to worry about being furloughed; military retirees won't have to worry about their benefits; and students headed for college won't have to wait any longer than they already have for their student loans to be processed.

I support this two-thirds rule, Mr. Speaker, because I wouldn't do anything to slow the appropriations process any more than it already has been



but I believe my Republican colleagues have behaved very irresponsibly on this budget and I hope next fiscal year will be different. The American people have suffered from their political games and it is no way to run a government.

But this rule doesn't go far enough. So, I will oppose the previous question in order to offer an amendment to the rule which would make in order a new section in the rule. This provision would direct the Committee on Rules immediately to report a resolution that would provide for consideration of a bill to incrementally increase the minimum wage from its current \$4.25 an hour to \$5.15 an hour beginning on July 4, 1997.

This will not slow down the continuing resolution, Mr. Speaker, it will allow the House to vote on a separation measure to increase the minimum wage.

Mr. Speaker, my Democratic colleagues and I believe very strongly that American workers deserve a raise and we will continue to fight until they get one.

With CEO's of major corporations getting raises of millions and millions of dollars a year, I certainly hope my Republican colleagues will agree with us that average working people deserve a \$1,800 raise—enough for 7 months of groceries.

We are not talking about a lot of money, Mr. Speaker. But we are talking about a lot of people, 12 million people who work very long hours and still live below the poverty line.

It has been 5 years since the last increase in the minimum wage, 5 years, Mr. Speaker. Its value has plummeted to a 40-year low. People on minimum wage only earn \$8,400 a year.

That means that someone who works just as long—and I would argue just as hard—as those CEO's does not make enough money to feed and house their family.

Any Member who disagrees with me, any Member who does not think we should raise the minimum wage to \$5.15 an hour should vote for the previous question.

I urge everyone else who believes hard-working Americans should be able to support their families on their income to defeat the previous question.

Let's give hard-working Americans a raise.

□ 1130

Mr. Speaker, I reserve the balance of my time.

#### PARLIAMENTARY INQUIRY

Mr. MCINNIS. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman will state it.

Mr. MCINNIS. I think it is in order, Mr. Speaker, to request a copy of the proposed amendment to the rule from the minority in order to determine whether a discussion of it is germane to the debate on this particular rule. Otherwise, I will be forced to raise a point of order against any further de-

bate on a nongermane amendment to the rule.

Mr. MOAKLEY. Mr. Speaker, will the gentleman yield?

Mr. MCINNIS. I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. Mr. Speaker, the amendment is being worked on. It will be in the gentleman's hands very shortly.

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume.

I am thrilled. I cannot believe what I have just heard. My good friend from Massachusetts, is the gentleman in fact suggesting that we bypass the committee process and bring directly to the floor his particular amendment? I think this is the very side that I get hammered time after time after time again with these rules, what about the committee process?

Mr. Speaker, I am certain that the gentleman and my friend from Massachusetts overlooked this, and I am certain that in order to stay consistent with what their side on a continuing basis continually talks about, that he will rescind his amendment and proposal to offer an amendment and take it back to the committee process.

I think it is also important for us to realize it is an election year. How can we tell it is an election year? Where has this group, where has the minority been? They held the majority in the House. They held the majority in the Senate. They held the Presidency for the first 2 years I was here. Not once, not once in committee, not once on the House floor did we hear any discussion about minimum wage. In fact, I found it kind of interesting. Time, February 6, 1995, now the President wants to make work pay by raising the minimum wage. Yet, more than 2 years ago he said that raising the minimum wage is, and I quote from Time magazine "the wrong way to raise incomes of low wage earners."

If we want to help the low wage earners in this country, get Government off their back. Do something about the taxes on these people. Do something about the child tax credit. That is how we are going to help the working poor in this country.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman, my colleague, my friend, is right. Maybe we should have addressed minimum wage. But as he knows, we had other things on our pallet. We had the health care bill that took a lot of time. We had the budget bill. We had the appropriation bills that the Republicans did not let come out through the proper process. So we really were distracted doing other things. But now we are looking clear eyed at the minimum wage, and maybe we should have done it before.

Having said that, we have just received notice from Speaker GINGRICH that he does not want to allow the minimum wage to go forward, so we

cannot rely upon the ordinary committee process. This is the process we have to take.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, today I call upon my colleagues to defeat the previous question so that we can go back to the Committee on Rules and have a vote on raising the minimum wage. My colleagues and I have been trying for weeks to convince NEWT GINGRICH and the rest of the Republican leadership to allow a vote on raising the minimum wage, a mere 90-cent increase for the hard-working men and women of this country at a time in our Nation's history when we are looking at corporate CEO's who are making on average \$2 to \$3 million a year, and working Americans have not seen a raise in their income in the last several years. They scramble every week to try to pay their bills.

Mr. Speaker, last month I went to the Committee on Rules, and I testified in favor of allowing a vote on raising the minimum wage. My request was denied. On this floor the next day my Democratic colleagues offered a motion to allow a vote on raising the minimum wage. Again, our effort to give working families a raise was denied. As a matter of fact, the House Parliamentarian ruled that the Republican leadership was using an invalid procedure to kill that vote. After denying us the right in this body, the people's House, to raise the people's interests, we were not allowed to have this come up for a vote.

Yesterday the Speaker of the House said that it is not his intention to schedule a vote on the minimum wage. He refuses to do it. Yesterday or the day before yesterday, the third ranking member of the Republican leadership in this body said that the minimum wage families do not exist. There is a movement here and a pattern to not allow us to be able to vote in this Nation on the minimum wage. Eighty-four percent of the people in this country want us to increase the minimum wage.

Stop playing parliamentary games with America's working families. Please, give them a simple yes or no vote on raising the minimum wage in this country. Stop denying hard-working families, people that we ought to honor for taking on the personal responsibility of working hard every single day. All they want to do is to get their kids to school. They want a decent retirement for themselves. That is all they are asking for. And they make \$8,500 a year.

Mr. Speaker, let me tell my colleagues in this body, during the shut-down in the Christmas holidays, Members of this body made more than minimum wage workers made in 1 year. It is unfair. Let us vote now, let us vote right away, an up or down vote on raising the minimum wage in this country.

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume.

I would be interested later in the debate perhaps to hear from the gentlewoman from Connecticut about the President's comments that this is the wrong way to raise the incomes of the low-wage earners. Perhaps the gentlewoman from Connecticut before she leaves the floor today on the debate would like to come down and talk about the President's own chief economic expert, economist, who says that the higher minimum wage does not seem a particularly useful way to help the poor.

Why all of a sudden the change? Why all of a sudden the reverse? I will tell my colleagues why; it is show and tell for election year.

Mr. Speaker, this debate is about a rule. That is what we are talking about. We have come to a resolution on this budget. We have cut the rate of growth by \$23 billion over last year. Let us get on with the business. Do not let them divert by talking about something that they have plenty of opportunities to do something about but all of a sudden, lo and behold, and I am sure by coincidence right before an election shows up, they come to the floor and they pound the podium and they talk about the minimum wage. They cannot explain the President's comments who says it is the wrong way to help these, the low-wage earner. They cannot explain the chief economist over at the White House when he says it does not work.

Where were these people? Where was the gentlewoman from Connecticut? Where was the gentlewoman from Connecticut when we had, for example, just a couple of weeks ago a limitation on the taxes in this country?

My bet is that the gentlewoman probably voted against it. I think it is important, if we want to help the working poor of this country, let us talk about taxes. Let us do something to control the taxes.

Nothing helps them more than taking a look at the heavy, heavy burden of taxes. Do you know that the average working person in this country has to go in and spend 2 hours and 45 minutes of their working day, the first 2 hours and 45 minutes of their working day just to pay the taxes? If we want to do something to help these people, cut that 2 hours and 45 minutes and let some of that time go right into their pocketbook. The average person in this country works from January 1 to May 6 every year, every hour during that period of time just to pay their taxes.

Mr. Speaker, the point here is very important. That is that today we are engaged in a debate on the rule, a rule which would allow us to get this compromise put into law, which will allow this budget to go forward. This is a good budget. We have come up with. This is a budget that will allow the Federal Government in Washington, DC, to reduce its spending by \$23 billion. That is a very, very significant step forward. Let us do divert. Let us not dilute it by bringing in what I con-

sider, frankly, frivolous timing on this debate.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. BONIOR], the minority whip.

Mr. BONIOR. Mr. Speaker, who are these people that work on the minimum wage or for the minimum wage? Three of them are testifying out in the swamp triangle in front of the press right now about earning the minimum wage and trying to raise a family. So they indeed do exist.

Mr. Speaker, they are the people who take care of our mothers and our fathers and our grandparents in nursing homes. They are the people who clean the offices. They are people to clean the airports. They are the people who are breaking their backs to raise their kids every single day in America.

Do we know what happens when we pay them \$4.25 an hour? They cannot raise a family on that. They end up sometimes working two jobs, three jobs, overtime. What does that mean? That means they are not there for their kids in the evenings. A mother is not there to teach her kids right from wrong. She is not there to read them bedtime stories. A father is not there for a PTA. He is not there for Little League games. He is not there for church. He is not there for dinner conversations. And the whole fabric of civil society starts to breakdown. That is what we are talking about here, paying somebody a decent livable wage so they can live a decent livable life.

Mr. Speaker, that is what we are talking about, basic economic justice for people. Let me put the Republican position on the minimum wage in perspective. A person making the minimum wage, as I said \$8,500 a year, the average CEO in America today makes about \$12,000 a day. I wanted to repeat that, \$12,000 a day.

My friend from Colorado talked about taxes. Let me tell my colleagues about taxes. Under their tax plan, if you do the math right, every CEO in America would get a tax break of about \$8,500 a year. In other words, the Republicans spent the last 16 months trying to give CEO's a tax break equal to the amount a minimum wage family earns in an entire year. Where is the economic justice in all of that?

This is an issue which is supported by over 100 economists. It is an issue that is supported by three Nobel Laureates, by 80 percent of the American people. We ought to move on this and move on it today. We have an opportunity on this previous question to vote it down so we can bring up the opportunity to have a real debate and a real vote on a critical issue for this country.

Mr. Speaker, the Republicans on this side of the aisle and in the other body have embarked upon a strategy of ducking this issue as the Speaker indicated the other day in a press conference, blocking it, as the gentleman

from Texas [Mr. ARMEY] indicated, said he would fight it with every fiber of his being; burying, as Senator DOLE intends, to do by attaching it to extraneous matters in the other body. This strategy of duck, block it, delay it, bury it, is not what the American people want. They want us to move on this issue because they know it is a matter of economic justice.

Mr. Speaker, let me just say in conclusion that we have got 12 million people in this country who are doing tough work, tough work. They have made a choice to do work over welfare. If we want to solve this welfare issue, we have got to make work pay. That is all we are asking. The minimum wage is at an almost 40-year low, 40-year low. People made more on the minimum wage in the 1970's and in the 1980's and in the 1960's than they would even if we raised it 90 cents an hour.

□ 1145

Let us do something for these folks. Let us raise the minimum wage. Let us give them the respect and the dignity that they deserve, and let us send a message to America that work pays.

Mr. Speaker, I yield back the balance of my time.

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am interested by the gentleman from Michigan's comments. I wonder where the gentleman's vote was on the largest tax increase in the history of this country about 2 years ago, and I do not want the gentleman to come back and say, well, as my colleagues know, we just increased taxes on the wealthy people in this country.

Our colleagues increased taxes, as the Democrats, on this House floor on everybody in this country that buys a gallon of gasoline, 4 cents a gallon. Our colleagues have continually thought the response to aid Washington, DC, is to tax, tax, tax.

If our colleagues want to help the working poor in this country, if our colleagues are really sincere about it and not playing election-year tactics, if our colleagues really want to help them, do something about the burden of taxes in this country.

I have said repeatedly from this microphone every person out there trying to work, trying to stay off welfare, still has to spend their first 2 hours and 45 minutes of every working day just to pay their taxes.

Now, how interesting, and I will not yield, now, how interesting it is that the gentleman from Michigan and the gentlewoman from Connecticut talk about how their party wants to help the working person. Well, maybe one of them, and they have not done it yet, maybe one of them would be kind enough to explain the President's comments, and I will quote it again from Time magazine. When the President directly addresses and states his position on minimum wage, and that is, "Minimum wage," and I quote, "is the wrong way to raise the incomes of low-wage earners."

Our colleagues are hurting these people. That is what we are trying to say to them, they are hurting the very people that everybody wants to help. If our colleagues were serious about it, they should have supported, and some of you actually did, but we should have had more support from our colleagues' side of the aisle to put a tax limitation on the bureaucracies in Washington DC. But they did not support that.

And, by the way, they did not hesitate to support the largest tax increase in the history of this country. That is what is key here. If they really want to help the working people, let us shift this debate.

By the way, the debate should not even be on this. The debate should be on the rule. But our colleagues continue to try to divert it over to this.

So let us shift the debate where it ought to be, and that is the tax burden that their party primarily in the last 40 years has been responsible for placing on the working people of this country. Not just the working poor, but every working man, woman, and child in this country, lives under their tax burden.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, in a few minutes all of America will be able to see a vote on whether or not the people of America, the working families of this country, will get the increase in their wages that they deserve, get a raise.

I believe American working families deserve a raise, and finally this morning we are going to have a vote on that subject. And if my colleagues believe that way, all of America will be able to see that they voted against this call for the previous question and we have finally an up-and-down vote on the minimum wage.

But, as my colleagues can see, what we have been hearing this morning is the same old Republican story: Promises made, promises broken. That is what this Republican majority is all about. It was only last week that the Republican leadership of this House and of the Senate were telling us: We would have a vote on the minimum-wage increase. But they forgot to ask the lobby.

As we can see, this would be like the Republicans writing environmental legislation without getting a bill from the polluters. They just do not do that. They made their announcement, and they had a traffic jam out here.

As we can see, they forgot to ask the special-interest lobbyists, and the limousines starting converging on the Capitol, almost a traffic jam out here on the avenue, because these lobbyists expect this Republican majority to do exactly what they tell them to do, and they made the mistake of not asking. They listened to the American people, for once, who demand that they get the

kind of raise that they deserve because they are out there struggling with their families.

We are not talking about people that have got limousines that benefit from this minimum-wage increase. We are talking about the people that mop the floors, we are talking about the people that take out the trash, that wash the dishes, the hard-working people of this country who can barely make ends meet on the little bit of minimum wage they have got. And this morning we are going to decide are we going to stand by those people who are working so hard to build a future for their families, or are we going to fold and join the limousine crowd who did not get asked but made their voice heard and caused the Republicans once again to break their promise to the American people?

Let us stand up for the little folks of this country.

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume.

How interesting to hear the gentleman from Texas talking about the little people. I wonder if the gentleman from Texas has any small business in his district.

As my colleagues may know, my district is a rural district out in Colorado. It is not a wealthy district; most of the district is rural. We are ranchers and farmers, and we own small hardware stores. In fact, my father owned a little candle store for 40 years, and it was tough. Maybe the gentleman from Texas and I would like to have them come to my district.

By the way, we do not have any limousines out there; that may be something that perhaps my colleagues are not accustomed to. But we will take them out in a pickup truck and have them explain to the small business people in my district how it is going to help them and how it is going to help their employees, and we will bring the employees in, by increasing the minimum wage and keeping the tax burden exactly the same.

Do my colleagues know what we are debating today? We are debating the rule. This debate has been totally diverted, totally swung over to a non-germane subject on this rule. What is this rule all about? Do my colleagues know what it is about? It is about reducing spending in this year's budget over last year's budget by \$23 billion. That is right: billion dollars. Finally we have made positive progress.

As my colleagues know, a lot of people, when the Republicans planted our garden, we said to the Democratic leadership, "Look, you got too many weeds in your garden. It's gotten too fat. It's not being taken care of, and the people, the taxpayers, that have to pay for the seeds and water and fertilizer for this garden are being abused." Let us plant the garden; we planted the garden.

Then all of a sudden nothing came up, it was not growing, and some of these people just sat back and said, "We told you. So by gosh, your way doesn't work."

But guess what happened today? We wake up, and we have got plants popping out everywhere. Do my colleagues know why? Because last night we reached an agreement, and this rule will help us move that agreement to the President's desk within 24 hours. We reach an agreement that allows us to reduce the size of Government in Washington, DC, to reduce the size of growth in this budget, to finally realize that the taxpayers of this country have a right to demand from their Government in Washington, DC, efficiency and accountability.

Now what is happening? Finally of course they are not going to concede. A little plant is now coming out of the ground, and this garden in fact is going to be a very healthy garden. Now they try to pull in something that their own President did not agree with, and that is this diversionary argument of minimum wage.

Let us go back to the rule. Last night in the Committee on Rules, I was there. I voted on it. Every Democrat in the Committee on Rules voted for it. I voted for it. We did not have this kind of sneak attack last night in the Committee on Rules, and in fact my good friend from Massachusetts, of whom I have a great deal of respect for, and frankly the more I work with him, the more I respect him, has stood on this floor before and said, "What about the committee process?"

Do my colleagues know what is happening? This is a sneak attack. They jump up here with minimum wage.

Mr. MOAKLEY. Mr. Speaker, will the gentleman yield?

Mr. MCINNIS. I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. Mr. Speaker, I agree. I will vote for the rule. I am just trying to make the rule just a little bit better.

So I am with the gentleman from Colorado on the rule, but I just want to get a shot at the previous question. So the gentleman and I will vote arm in arm when it comes to voting for the rule.

Mr. MCINNIS. But the gentleman from Massachusetts would agree by doing this we avoid the committee process on the minimum wage issue; is that not correct?

Mr. MOAKLEY. But the gentleman from Colorado will agree that the Speaker said he is not going to allow the minimum wage to come to the floor, so will the gentleman tell me how else we can get it to the floor?

Mr. MCINNIS. Reclaiming my time, I thank the gentleman from Massachusetts for his courtesy and kindness. The fact is he knows and I know this is a sneak attack. That is all right, we can take it, we can absorb it. But if our colleagues want to talk about minimum wage, if the gentlewoman from Connecticut wants to talk about minimum wage, why does she not talk about the tax vote she took? Why do our colleagues not talk about the tax vote we took just 2 weeks ago where we

said to the country and to the bureaucracy in Washington, DC: Before you raise taxes on the American people, you ought to get a two-thirds vote.

Now a lot of States do that. There are a lot of States that require a balanced budget. I would be interested to see what the gentleman from Texas or the gentlewoman from Connecticut voted on the balance budget amendment.

Do my colleagues really want to help the working people of this country? Then put this argument aside, let us debate the rules and the germaneness, and I mean argue what is germane to this rule, and let us get this budget, this agreement which cuts spending by \$23 billion; we can have that to the President's desk within 24 hours.

And do my colleagues know something? I think both parties can stand up and say, by gosh, we are making progress in moving this country forward in a fiscally sound manner. But short of doing that, if some of the people who stand up here, and again just a coincidence in an election year, and talk about how much they have helped the working poor, I think it is legitimate, very legitimate, for everyone of us in this room to ask them, How did you vote on the balanced budget amendment? How are you rated by the Taxpayers Association? How did you vote on the tax limitation amendment? Where have you been on some of these spending issues that are here?

Do my colleagues want to help the working people of this country? One, get this budget to the President within the next 24 hours because he said he would sign it; two, follow your own President's advice where in Time magazine he said the minimum wage is the wrong way to raise the incomes of the low wage earners; and, three, get back to the germaneness of this rule, let us get this debate out of the way, and let us get to the budget debate because that is the most important time of the day. That is what is going to make this budget. And what we are doing right now is spending very valuable time debating kind of a sneak attack, certainly did not come up in the committee last night, certainly will not go through the committee process, but they think is fun and games to play down here and discuss it.

Let us get back to the budget. Let us pass this rule.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Texas, Mr. GENE GREEN.

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, what we are talking about is asking for a vote on minimum wage. Why will not the House allow us to vote on the minimum wage? By opposing the previous question, that is the only way we can do that. This martial law resolution gives special status to a

lot of categories of bills. A minimum wage increase deserves that special status. We should be willing to give special treatment to the American families who are having to work for \$4.25 an hour.

In fact my colleague from Colorado talked about this should go through the committee process. My committee has tried to have a hearing on this bill, and we have not. Seventy percent of the bills in 1996, and I will yield if I have time, 70 percent of the bills on this floor this year did not go through the committee process, and yet today they are not willing to use that special exception for the working folks. He knows also the reason that we tried to have health care reform in 1993 and 1994 and not a minimum wage increase, but it has gotten so far out of whack because of inflation we need to do it.

A great Senator from Texas said what we need to do is put the jam on the bottom shelf for the little people. Senator Ralph Yarborough, the late Senator, said that minimum wage increase will do that, Mr. Speaker.

Mr. MCINNIS. I yield myself such time as I may consume.

First of all for the gentleman from Texas, I think it is incumbent upon him to use the words that he used in description, that he use them at least somewhat close to their definition. Continually he attempts to use the words martial law as if we are attempting martial law on this House floor, and let me just read for his assistance the definition of martial law. It is a temporary rule by military authorities over the civilian population.

This is getting a little out of hand when we start using those kinds of terms. Let us bring it back to the issue that we are talking about today. The issue is we have got a rule here that agreed to by all of the Democrats on the committee, that was voted by a voice vote, which means there is agreement amongst the committee, to bring this rule down to the floor so that we could clear the path for our budget package to come down here, to be heard, to be voted on, to be sent to the President within the next 24 hours.

□ 1200

My goodness, we have spent the last 6 months in tough negotiations and good faith negotiations from both sides to come to some kind of budget which will help reverse the spending in Washington, DC, which will help the taxpayers of this country; which, by the way, will help every working man, woman, and child in this country. We have it in our hands. We have the budget. We can send it to the President within the next 24 hours.

So why are we stalling? Let us stay germane to the subject. Let us pass this rule. Let us send this budget to the President. It is \$23 billion in reductions in spending in Washington, DC. Do we want to make a working poor person's day or any working poor person's day? Tell them that finally the Government

in Washington, DC, is about to reduce the rate of their growth, that the bureaucracy that is out of control in Washington, DC, is about to come back down to the size that it ought to be. That is a government that serves the people, not a government that rules the people.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I must say that the gentleman from Colorado has made a very valiant effort to try to justify why this should not be brought to the floor, but the bottom line is we have no choice. We know that the Republican leadership in this Congress will not schedule the minimum wage for a vote. "It is not my intention to schedule a vote on the minimum wage," said the House Republican leader, the gentleman from Texas, DICK ARMEY. This is the only way we can bring this up to the floor for a vote.

We are talking about real people and real lives here. Minimum wage workers have a very difficult time paying for groceries, paying for housing, paying for the utility bills. I think that the budget we are going to pass today is a great thing, and I will commend every one involved in it. But the bottom line is when we are talking about a minimum wage worker, that budget may be something that helps them in the long run, but they need help right now to raise their living, the amount of money they take in so they can buy food, housing, and the basic necessities of life.

Let me just say, very briefly, in my home State of New Jersey we have raised the minimum wage. It is now \$5.05 an hour. This increase has been a complete success. We have increased the purchasing power of minimum wage workers and we have improved our economy with it.

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would hope that the gentleman from Texas does not quite leave the floor. Why does the gentleman not put on the other side of this very nice poster, which by the way was paid for by the taxpayers, probably a couple of hundred bucks, put on the opposite side the President's statement about the minimum wage? And I am quoting Time Magazine from February 6: "It is the wrong way to raise the income of the low-wage earners."

Now let us talk. I will be very interested to see if the gentleman from Texas votes against this rule. In fact, I think there is pretty wide agreement on that side of the aisle to support this rule, because I think that side of the aisle does not want to shut down the Government. We need to get a budget to the President.

All this kind of thing is, in my personal opinion, is show and tell. It is election year. We have to expect some of that. But the fact is we have one of

the most important issues of this Congress, one of the most important issues of this Congress sitting in front of us, and that is a budget bill. In order to clear the way for this budget bill we need to pass this rule, and we are going to pass this rule.

Last night this rule passed out of committee on a unanimous vote. Not one Democrat voted against it. Why? Because they understand the importance of it. They were not going to be obstructionist. We had a very good Committee on Rules last night. There was no harsh debate. There was no sneak attack, trying to bring in this minimum wage issue. There were no discussions on the tax bill that they passed 3 years ago. No. The debate up there, and it was not really a debate, the discussion in that committee was, "Hey, we have got an agreement. We are going to get an agreement on this budget. Let us move it up to the President. Let us keep the Government open. We can do it."

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Colorado talks about sneak attacks. Everybody knows that the way to get an amendment in this type of process is to defeat the previous question. This is operating according to the rules of the House. Nobody in that committee last night said they would not make a motion to defeat the previous question. We said we would vote for the rule, and that agreement still holds.

Mr. Speaker, I yield 1 minutes to the gentleman from California [Mr. FAZIO].

Mr. FAZIO of California. Mr. Speaker, sometimes Congress works at a glacial pace, but other times Congress can move like lightning when we choose to do it. Yesterday we passed a 1-day CR with lightning speed. It did not take any preliminary hearings.

A few weeks ago, the Republican leadership decided to schedule a vote to lift the ban on assault weapons, passed just last year. They made that decision, announced it, and voted on it within 1 week. Lightning speed. Last week, we voted on a constitutional amendment to require a supermajority vote to make changes in the Tax Code. We did not even need a committee hearing on a constitutional amendment. Lightning speed. But when it comes to providing a working wage for Americans by raising the minimum wage, it gets glacially cold around here. Paralysis sets in. Our leadership says it is not their intention to schedule a vote on the minimum wage. We cannot move. The lightning speed tends to slow down to the point where we have a glacial pace.

The Republicans have used parliamentary tactics, and now they are simply blocking a vote. Let us have one, up-or-down, on the minimum wage increase that the American people overwhelmingly support.

Mr. Speaker, what is the Republican response to our request for a simple up-or-down

vote on an increase in the minimum wage: They call it—incorrectly—an unfunded mandate and invoke parliamentary procedure to prevent a vote.

They counter it with elaborate proposals for tax credits, tax incentives for businesses, assaults on labor unions, and labor law. Now they want hearings—for legislative packages—all of which are designed to put off debate and voting on an increase in the minimum wage for months—or forever.

Twelve million Americans earn \$4.25 or less—73 percent of them are adults, and most of them are women. The purchasing power of the minimum wage has plummeted to a 40-year low.

A 90-cent increase proposed by the President and Democrats in the House and the Senate would provide \$1,800 a year for a full-time worker. Raising the minimum wage would provide an immediate raise to more than 10 million hourly workers—and the ripple effect would assist another 3 million low-wage workers.

Some have argued that a raise in the minimum wage would have an adverse effect on business—especially small business.

But this is not just a war between working people and the business community.

Increasing the minimum wage has received wide, bipartisan support in the past—including the support of Senator DOLE and Speaker GINGRICH.

And if our local governments think this is such bad policy, why do nine States and the District of Columbia have minimum wages that exceed the Federal standard?

The fact is: Historical evidence shows us there is little or no job loss from increasing the minimum wage. We all know intuitively that business and the economy grow and flourish when people are making a living wage.

Living wages increase productivity—the unemployed are attracted off welfare, families receive health care, some of the strain of providing for their families is taken away. Democrats understand how important it is for small business to flourish.

That's where the new opportunities are being created—small business is the fuel that's driving the economic engine of recovery. That's why Democrats have supported policies such as raising the deduction for health care costs for the self-employed.

We want to keep that economic engine firing away—and we know that small business will continue to pull the major load of our economic recovery.

When Franklin D. Roosevelt first proposed a national minimum wage, he described it as a "fair day's pay for a fair day's work." Let's make the minimum wage a fair day's pay once more.

I urge defeat of the previous question.

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would say to the gentleman, before he walks off the floor, I am a little mystified, I guess. He talks about how Congress works with lightning speed. The gentleman from California [Mr. FAZIO] was in the majority 2 years ago and he was in the majority for 40 years. But my first 2 years of Congress, you certainly ruled this place with an iron hand. When you wanted to, you would get something with lightning speed. Where was the minimum wage?

The second thing I would like to ask the gentleman, nobody else has done it yet, for perhaps a little explanation. The President's position was in 1995, just a year ago, as he says: "The wrong way to raise the incomes of low-wage earners is the minimum wage."

Mr. FAZIO of California. Mr. Speaker, will the gentleman yield?

Mr. MCINNIS. I yield to the gentleman from California.

Mr. FAZIO of California. Mr. Speaker, in the last Congress we did, without one Republican vote, more to help working families through the increase in the working families' tax credit, sometimes known as the EITC. We did not have one vote from that side of the aisle to help people with families working, earning less than \$27,000 a year. That used to be a bipartisan issue.

Where the Republicans decided not only to oppose the minimum wage but an increase in the earned income tax credit comes from surprises me. But perhaps at the moment we have simply to look at their proposal in lieu of a minimum wage increase, which does nothing but redistribute poverty among working families. It does not help anyone's income to go up.

Mr. MCINNIS. Mr. Speaker, I thought I would get a germane answer to my question, but I did not. Let me make the point very clearly. The gentleman's side did take a vote very clearly that did affect the working poor in this country. They raised taxes by the largest amount in the history of this country.

Mr. FAZIO of California. On the top 1 percent of all taxpayers.

Mr. MCINNIS. No; you did not. You raised the gasoline tax by 4 cents. You raised taxes on every working person in this country.

Mr. FAZIO of California. For the last 2 years, gasoline taxes were below what they were at the time we voted the tax.

The SPEAKER pro tempore. The gentleman from Colorado controls the time.

Mr. MCINNIS. Mr. Speaker, the fact is, the only thing they did to the working people of this country is raise taxes. But that is not the issue.

Mr. Speaker, let me go back to the gentleman from Massachusetts. The gentleman from Massachusetts has written the chairman of the Committee on Rules on a number of occasions asking the committee to comply with the rules, and he has specifically pointed out the germaneness part of it. Now, clearly, this is not germane to the issue. The issue we have today is can we pass a rule which will clear the path for a budget to get to the President so he can sign it by midnight. I think we can. I think we are going to get this rule. I think most of the Members over there are going to vote for this.

I think all of this is a diversion from the fact that finally, finally under the leadership of the Republican Party we have gotten a \$23 billion reduction in spending over last year, and through the cooperation of the President in the

last few days, we now have a package which will reverse spending in Washington, DC, which will demand that Government now begin to become accountable to the people which it serves. The people do not serve the Government, we serve the people, the working people out there.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. CLAY].

Mr. CLAY. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I urge my colleagues to vote "no" on the previous question and to support the amendment offered by my colleague, the distinguished ranking member of the Rules Committee, Mr. MOAKLEY, directing the Republicans to stop blocking the loud and clear demand of working men and women for a straightforward increase in the minimum wage.

Mr. Speaker, the House Republicans obviously have lost any sense of compassion. They have turned the minimum wage into a three-ring circus. In one ring we have 20 House Republicans proposing a \$1 increase in the minimum wage; in another ring we have the Speaker stomping his feet and roaring that he will not allow a vote on the minimum wage. And, in the center ring we have Majority Leader DICK ARMEY promoting a proposal to increase the deficit by giving taxpayer subsidies to low-wage employers.

My colleagues, we don't need these legislative gimmicks. We just need fair wages. The time for a vote on a clean minimum wage increase is now. To Speaker GINGRICH, I say stop playing games and schedule a vote. Stop posturing for special interest business and schedule a vote. Thirteen million Americans who work 40 hours a week, 52 weeks a year, deserve a raise, and this Congress ought to give it to them.

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would be interested in the gentleman from Missouri, who speaks so boldly and speaks eloquently about the need for this minimum wage, I would ask: Did he sponsor a bill? At least I do not remember a bill during my first 2 years in the U.S. Congress where the gentleman sponsored it to help the working poor, and I do not remember the gentleman standing up and talking about the working poor and so on when he passed the largest tax increase in the history of this country, which included a tax on every working person or every person, certainly, that purchases fuel in this country.

The key here, Mr. Speaker, is that we need to go back to germaneness. The key issue we have here is the germaneness of the rule in front of us.

What should we be talking about? We all ought to be talking in very positive terms about this budget that we want to send to the President by midnight tonight. If we do not send it to the President, the spending authority ex-

pires. We are going to have a real problem.

You do not want to shut the Government down, or maybe some of you do want to shut the Government down, but if you do not want to shut the Government down, you need to cooperate with us on this rule. The members of the Committee on Rules, did. We had a great conversation, a great discussion last night. It was a voice vote. Not one disagreement in the committee.

Then today we come down here, and clearly we have a nongermane issue, meaning an issue that has nothing to do with the rule in front of us. I guess, Mr. Speaker, I could ask for a point of order, but then they would call it a gag order, so I guess in an election year we can expect this kind of frivolous discussion. But let us not ignore the fact we need to pass this rule. We have a great budget. It is a success. We have reduced spending in Washington. Let us get this budget to the President and let us get it signed. We can do it by midnight.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Missouri [Mr. VOLKMER].

(Mr. VOLKMER asked and was given permission to revise and extend his remarks.)

Mr. VOLKMER. Mr. Speaker, it is very apparent to me, listening to the debate, that the gentleman from Colorado is trying to obfuscate the real issue. We all agree that we will take up the appropriation bill that will finally fund the Government for the rest of this year. That should have been done 7 months ago, but the Republicans did not do it.

The real issue is whether we will have two things to do. One is a minimum wage, and the other is the appropriation bill. We can do both. All we have to do is defeat the previous question. We could tell Speaker GINGRICH and the gentleman from Texas, DICK ARMEY, "Sorry, boys, we are going to vote on a minimum wage in the House of Representatives. We are going to defeat the previous question." If Members are not for the minimum wage, they will vote for the previous question. If they are for the minimum wage, they will vote against the previous question. It is a very easy vote. And, by defeating the previous question, we amend the rule. The rule then passes. We have passed the appropriation bill. We send it to the President. The Government keeps on running. And soon thereafter, because of this amendment, we will be voting on a minimum wage. That is what we should be doing. What is wrong with the Speaker?

Mr. MOAKLEY. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan [Mr. LEVIN].

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, I say to the gentleman from Colorado, we are going

to pass the rule, we are going to pass the bill. It reduces spending, but in a way that does not hurt children and their education, does not hurt the environment, does not hurt citizens who want security in their neighborhoods, because it does not adopt the cuts that you voted for.

□ 1215

We want to expand this and have a vote on the minimum wage. We will make an agreement. If the Speaker says we will have a vote, we will not oppose the previous question. But if he says we will not have one, do not say go through committee.

I want to read something from November 8, 1989. This is a statement by Mr. DOLE on the floor: "We had a White House meeting this morning, and the President asked about minimum wage and the progress it was making. I said we hoped to have it passed as early as noon or 1:00." That was Mr. DOLE in 1989. In 1996, Mr. DOLE has an option: either continue to cater to the radical right of the Republican Party or do what was done in 1989.

The minimum wage today is back where it was in 1989. We need to move ahead. You are standing there trying to divert attention. We are going to vote for the rule and the bill, but we should also bring up the minimum wage. It is of importance to the working families of this country.

Mr. MCINNIS. Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California [Ms. WATERS].

Ms. WATERS. Mr. Speaker, I rise in strong opposition to this rule. Once again, this rule gives a clear demonstration of the priorities of NEWT GINGRICH and the Republican leadership. NEWT GINGRICH and the Republican leadership are stopping the minimum wage legislation from coming to the floor of this House.

Mr. Speaker and Members, the gentleman from Colorado keeps asking why did the Democrats not do this in the past, why did the President not say he supported it in the past. It does not matter. It should be done now. Then is then and now is now. It is time for us to step up to the plate for the workers of this country.

Besides, I think the gentleman from Colorado is off the point. Why will NEWT GINGRICH not come to this floor and tell the American people why he is standing in the way of a debate that would give a simple 90 cents per hour increase to those who make the least amount of money in this country? It is important for the American people to understand.

This is simply about whether or not we recognize that American workers are hurting, whether or not we recognize that CEO's and others are getting richer and richer while the least of these is getting worse and worse in this country. It is not about what was not done yesterday. It was not about the

fact that people were afraid of the business community months ago. It is about whether or not, given he has the power, NEWT GINGRICH has the power to bring it to the floor, whether or not he is going to do it on behalf of the workers.

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume.

First of all, I would be interested if the gentlewoman from California is out there telling the working poor that it does not matter, "It does not matter that we did not try and raise your minimum wage while we were in office. It does not matter that when we were in the majority we did not try and raise the minimum wage."

The fact is it does matter. The fact is, if you want to help the working poor of this country, do something about the taxes.

The other issue that is very important here, as the gentlewoman from California—and I will yield to the gentleman in just a minute—as the gentlewoman from California comes down here and just blasts the rule, where were you at the Rules Committee meeting last night? Not one Democrat voted against it. We had a very healthy discussion about the importance of this rule so that we can get a budget to the President by midnight tonight. I think we can do it.

One of the former speakers up here talked about how much this budget bill that we are ready to send to the President has some positive things from his point of view. I agree with him, it does have some positive things, but the positive thing to me is it cuts spending by \$23 billion.

Mr. Speaker, I yield 15 seconds to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, the gentleman is right. The minimum wage should have been raised 2 years ago, and I had a bill in to raise it to \$5.50 an hour. But the fact that it was not raised then makes it more imperative that we raise it now because the purchasing power of low-wage workers has declined even more. So let us move forward today and pass a minimum wage.

Mr. MCINNIS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. LINDER], my fellow colleague on the Committee on Rules.

Mr. LINDER. Mr. Speaker, I have been watching this debate on my television and it has degenerated for high comedy to farce.

The gentleman from Texas has decided that Americans deserve a raise and, by golly, we are going to give it to them, and that is precisely the difference between the two sides. Democrats think that politicians can determine what a person's work is worth and they will give them the raises, and we believe the marketplace works.

The gentleman from Michigan says that the minimum wage today is right

where it was in 1989. Is that not interesting, when the other gentleman from Michigan, the minority whip, said that it is a 40-year low? One of them is not telling us the truth.

The fact of the matter is that this is not policy, this is politics, and it is crass politics. It is mean politics. It is using people who are right now about 3 percent of 117 million workers as pawns in a political battle to make political points.

Two years ago they could have raised the minimum wage. They did not even mention it. Robert Samuelson, in an article, points out the fact that the minimum wage is less about social policy than politics.

If you doubt that, ponder some facts gathered by New York Times reporter David Rosenbaum. With computers and other documents, he searched references made by President Clinton. In the 2 years when he controlled the House and the Senate and the White House in 1993 and 1994, guess how many times President Clinton talked about the minimum wage? You got it, zero. Zero.

This year, with Republicans in control, between the first of the year and March 11 he talked about it 47 times. The Time article by Michael Kramer—I said this earlier this morning—President Clinton said, "It is the wrong way to raise incomes of low-wage earners."

In a Wall Street Journal article, April 12, 1996: "Remember when Bill Clinton claimed he was a new Democrat precisely because he did not favor a higher minimum wage? That was 1992, the last time he was trying to give moderates a reason to entrust their vote with him."

The fact of the matter is, most of America has gotten used to this President having both sides of the issue and not knowing where he stands. They will see through this, too.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, during the years I have been in Congress, in fact for 50 years, without exception the majority of Republicans in the House of Representatives have been opposed to the minimum wage. Even back when economists said it did work, Republicans were opposed to it for half a century.

Now they have ridden themselves into a box canyon. Because the great majority of the American people want to raise the minimum wage in order to help the working poor, Republicans can no longer be caught being against the working poor, so they have to make a choice.

They have chosen. They have chosen to come down on the side of their friends in business and against the taxpayers. How? By freezing the minimum wage for their pals in corporations and then turning to the taxpayers and saying, "Give the working poor more money for every kid they have." So here is the working poor out of a Dick-

ens novel coming annually to the Congress saying, "Please, may I have more? Please, Mr. Speaker, I have had another child, may I have more?"

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. OWENS].

Mr. OWENS. Mr. Speaker, the Republicans are attacking the lowest wage earners in America, the people at the very bottom, on two fronts. First, they deny them an opportunity for an increase in the minimum wage; an in this legislation, which this rule concerns, they are attacking people and preventing them from getting an education by stealth assassination of a concept called Opportunity to Learn. They have usurped the role of the authorizing committee and they have ruled out Opportunity to Learn standards in this legislation.

Opportunity to Learn means that the Federal Government will collect information, it is all voluntary, collect information about what our school systems are doing to guarantee that children have an opportunity to learn. How are they providing decent books, decent buildings, decent science labs, qualified teachers who can teach science? How are they doing this? This is strictly voluntary.

Nevertheless, after 6 months of debate, the authorizing committee decided to do this, and now in a few meetings the conference report tells us that Opportunity to Learn standards are stricken. That is against the rules, it is illegal, but it will prevail because they have the votes.

Mr. MCINNIS. Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Speaker, the Republicans make us talk about an issue that they say is irrelevant because they refuse to allow a full discussion about the minimum wage. Therefore, we must take this opportunity to talk about the minimum wage.

It is relevant. It is relevant to millions of Americans, their families, their mothers, who depend on the lowest of wages, and it should be relevant to you if you care about the American taxpayer.

Why should it be irrelevant? Why should we be put in such a position to beg for those who need to be concerned? You have refused to understand what it means to not have food, what it means to not have shelter, what it means not to have the basic resources to take care of your family, and yet on the other side you talk about family values. You talk about expediency. How can you not reconcile the indifference that you are showing toward the very people you say you care about?

It is relevant. It is relevant, I would say, Mr. Speaker, contrary to what the majority leader has said before.

Mr. MCINNIS. Mr. Speaker, I reserve the balance of my time.



Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Speaker, the major crisis facing our country is that more and more we are becoming a low-wage society. During the last 20 years, the real wages of American workers have declined by 16 percent, and more tragically for our young workers, the new jobs that they are getting are paying even lower wages than was the case 15 years ago.

Mr. Speaker, what is also grossly unfair is that while the vast majority of the working people become poorer, the people on top become richer, and we now have by far the most unequal distribution of wealth and income in the industrialized world. If people work 40 hours a week, they should not live in poverty. A \$4.25 minimum wage is a disgrace.

Let us have the courage to do the decent thing, the right thing. Let us raise the minimum wage now. Bring that legislation to the floor.

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume.

I think it is very important. It amazes me how boldly some of the speakers we hear on that side of the aisle are talking about the working poor. Where were those kind of comments when they raised the taxes on all of the working people, not just the poor working people but the middle class and the upper, all of them?

Folks are going to be out there and are going to be paying. I do not know if any of you have been to the gas station lately, but the gas prices have really gone up. You can lay the credit of the additional taxes of 4 cents right at your feet. Most of the people that have spoken in opposition to me today voted to raise those taxes.

If you want to help the working poor of this country, if you want to help the working people of this country, quit raising taxes. Taxes are not the answer. Help us pass this rule so that we can reduce spending.

The President is ready to sign it. He is ready to reduce the spending by \$23 billion. It has taken a lot of effort on our side to get that kind of compromise put together from the President. Join us. You want to help the working people, help us cut spending in Washington.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Speaker, the last time I argued to raise the minimum wage on the House floor I was accused by the majority whip as being hypocritical. I would say that the only people being hypocritical here are the Republican leadership. They talk about family values, they claim to support America's workers, yet their policies are just the opposite.

The bottom line, my colleagues, is that we want a vote. Let us say it

again. We want a vote, up or down, on the minimum wage. The Republican leadership is afraid to give us a vote because they know if there was a vote on the House Floor, the minimum wage would go up. It would pass. They do not want to do it. That is Republican democracy for you. Seventy-one percent of Republicans support increasing the minimum wage, and 84 percent of all Americans support increasing the minimum wage.

□ 1130

But yet the tyranny here of leadership will not even allow us a vote on the floor. Today's Congress Daily says House Speaker GINGRICH, who last week conceded he would allow for a vote on the minimum wage in some form, was pressured by other members of the leadership to rule out a vote. Who does the Speaker represent, the American people or the leaders?

All we are saying is that we want a vote. Again, Speaker GINGRICH conceded last week he would allow a vote. This week, he was pressured "by other members of the Republican leadership to rule out a vote, at least for the foreseeable future."

What are you afraid of, my colleagues on the other side of the aisle? Let the American people have their way. Let the Congress have their way. All we are saying is give us a vote up or down. You are blocking a vote. You cannot claim to want to help America's workers by not allowing an increase in the minimum wage. You cannot claim family values by not allowing an increase in the minimum wage. Why should someone get off welfare, as you say you want people to do, when they do get off welfare and make a minimum wage they are getting paid less than if they were on welfare?

All we are saying is people want to work, and they are at the very bottom of the economic spectrum, these are people that want to work. They do not want to collect a check. They want to work.

Pay them a decent wage. That is the American way. Wages are at a 40-year low. It is a disgrace. We demand a vote.

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is interesting to hear kind of a show-and-tell going on here. Obviously it is an election year. The issue that is continually I think a diversionary issue, has been once again brought up by the gentleman from New York.

I think it would be interesting to see where the gentleman from New York ranks on the taxpayer ratings. I think it would be interesting to see if the gentleman from New York had a bill he sponsored to raise the minimum wage when he was in the majority. I would conclude he probably did not.

I think the important issue here, the key issue here, Mr. Speaker, is we can finally help the working poor and every working person in this country by passing this rule and passing a budget that reduces spending by \$23 billion.

Mr. Speaker, I yield 1 minute to my friend, the gentleman from Georgia [Mr. KINGSTON].

Mr. KINGSTON. Mr. Speaker, I thank the gentleman from Colorado for yielding me the time.

On the subject of the minimum wage, which of course we are talking about here, cutting spending, so the Democrats will do anything to get off a spending cut and start talking about something else. Let us talk about the minimum wage.

I know the folks over there are simply economically ignorant. I do not believe they are malicious, but you know, who do you think is going to get jobs when you eliminate the minimum wage? Or when you increase it? It is going to be good-bye teenage employment for the summer. Nobody is going to be able to get jobs. I would challenge the comrades over on the other side of the aisle, go talk to Burger King, go talk to McDonald's, go talk to any small business, go talk to a pet shop or go talk to a construction company. Ask them how many jobs they will have to eliminate when you increase the minimum wage?

If you want to show compassion, do not show compassion with 90 cents more an hour. Show compassion with a \$500 per child tax credit which you fought. Show compassion to repeal the 4 cents per gallon gas tax which the President increased.

Mr. MOAKLEY. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 1 minute.

Mr. MOAKLEY. Mr. Speaker, I urge a "no" vote on the previous question. If the previous question is defeated I shall offer an amendment to the rule which would make in order a new section in the rule. This provision would direct the Committee on Rules to report a resolution immediately that would provide for consideration of a bill to incrementally increase the minimum wage from its current \$4.25 an hour to \$5.15 an hour beginning on July 4, 1997. This provides for a separate vote on minimum wage. It in no way slows down the continuing resolution. The Speaker and the majority leader yesterday announced that there would be no vote on the minimum wage before the election. Let me make it clear to my colleagues, both Democrats and Republicans, defeating the previous question will allow the House to vote on the minimum wage increase. This is what 80 percent of Americans want us to do. So let's do it.

I include the text of this amendment for the RECORD at this point in the debate.

Vote "no" on the previous question.

At the end of the resolution add the following new section:

"Sec. . The House of Representatives directs the Committee on Rules to report immediately a resolution providing for the consideration of a measure to increase the minimum wage to not less than \$4.70 an hour during the year beginning July 4, 1996, and not less than \$5.15 an hour after July 3, 1997."

Mr. MCINNIS. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 1¾ minutes.

Mr. MCINNIS. Mr. Speaker, I would hope that the gentleman from Massachusetts, since he will have time to prepare this amendment that he wants to put on, he would also include within that amendment, since the amendment you will be preparing is nongermane, we might as well hit the whole topic, put in a clause that reduces the gas tax by 4 cents a gallon. You did put that on every working person in America. Put in the child tax credit so we can reduce the taxes, so people do not have to work 2 hours and 45 minutes to pay their taxes every day.

The important issue here is Democrats have attempted, some, not all, have attempted to divert from the issue at hand. The issue at hand is we have a budget that is going to work, that will cut spending by the Federal Government by \$23 billion. That is the largest and most significant reduction since the end of World War II.

We ought to all be happy today. We ought to be celebrating. We are going to make progress. So I would urge you support the rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MOAKLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 220, nays 200, not voting 13, as follows:

[Roll No. 133]

YEAS—220

Allard	Bonilla	Chenoweth
Archer	Bono	Christensen
Armey	Brewster	Chrysler
Bachus	Brownback	Clinger
Baker (CA)	Bryant (TN)	Coble
Baker (LA)	Bunn	Collins (GA)
Ballenger	Bunning	Combust
Barr	Burr	Cooley
Barrett (NE)	Burton	Cox
Bartlett	Buyer	Crane
Barton	Callahan	Crapo
Bass	Calvert	Creameans
Bateman	Camp	Cubin
Bereuter	Campbell	Cunningham
Bilbray	Canady	Davis
Bilirakis	Castle	Deal
Bliley	Chabot	DeLay
Boehner	Chambliss	Dickey

Doolittle	Kasich
Dornan	Kelly
Dreier	Kim
Dunn	King
Ehlers	Kingston
Ehrlich	Klug
Emerson	Knollenberg
English	Kolbe
Everett	LaHood
Fawell	Largent
Fields (TX)	Latham
Flanagan	LaTourette
Foley	Laughlin
Fowler	Lazio
Fox	Lewis (CA)
Franks (CT)	Lewis (KY)
Franks (NJ)	Lightfoot
Frelinghuysen	Linder
Funderburk	Livingston
Galleghy	LoBiondo
Ganske	Longley
Gekas	Lucas
Gilchrest	Manzullo
Gillmor	Martinez
Gilman	Martini
Goodlatte	McCollum
Goodling	McCrery
Goss	McInnis
Graham	McKeon
Greene (UT)	Metcalfe
Greenwood	Meyers
Gunderson	Mica
Gutknecht	Miller (FL)
Hall (TX)	Molinar
Hancock	Montgomery
Hansen	Moorhead
Hastert	Morella
Hastings (WA)	Myers
Hayworth	Myrick
Hefley	Nethercutt
Heineman	Neumann
Herger	Ney
Hilleary	Norwood
Hobson	Nussle
Hoekstra	Oxley
Hoke	Packard
Horn	Parker
Hostettler	Paxon
Houghton	Petri
Hutchinson	Pombo
Hyde	Porter
Inglis	Portman
Istook	Pryce
Johnson (CT)	Quillen
Johnson, Sam	Radanovich
Jones	Ramstad

NAYS—200

Abercrombie	DeLauro
Ackerman	Dellums
Andrews	Deutsch
Baldacci	Diaz-Balart
Barcia	Dicks
Barrett (WI)	Dingell
Becerra	Dixon
Beilenson	Doggett
Bentsen	Doolley
Berman	Doyle
Bevill	Duncan
Bishop	Durbin
Blute	Edwards
Boehlert	Engel
Bonior	Ensign
Borski	Eshoo
Boucher	Evans
Browder	Farr
Brown (CA)	Fattah
Brown (FL)	Fazio
Brown (OH)	Fields (LA)
Bryant (TX)	Flinder
Cardin	Flake
Chapman	Foglietta
Clay	Forbes
Clayton	Frank (MA)
Clement	Frisa
Clyburn	Frost
Coburn	Furse
Coleman	Gejdenson
Collins (IL)	Gephardt
Collins (MI)	Geren
Condit	Gonzalez
Conyers	Gordon
Costello	Green (TX)
Coyne	Gutierrez
Cramer	Hall (OH)
Cummings	Hamilton
Danner	Harman
de la Garza	Hastings (FL)
DeFazio	Hefner
	Hilliard
	Hinchey
	Holden
	Hoyer
	Jackson (IL)
	Jackson-Lee
	(TX)
	Jacobs
	Jefferson
	Johnson (SD)
	Johnson, E. B.
	Johnston
	Kanjorski
	Kaptur
	Kennedy (MA)
	Kennedy (RI)
	Kennelly
	Kildee
	Kleczka
	Klink
	LaFalce
	Lantos
	Leach
	Levin
	Lewis (GA)
	Lincoln
	Lipinski
	Lofgren
	Lowe
	Luther
	Maloney
	Manton
	Markey
	Mascara
	Matsui
	McCarthy
	McDermott
	McHale
	McHugh
	McKinney
	McNulty

Meehan	Pomeroy
Meek	Poshard
Menendez	Quinn
Millender	Rahall
McDonald	Reed
Miller (CA)	Richardson
Minge	Rivers
Mink	Roemer
Moakley	Rose
Mollohan	Roybal-Allard
Moran	Rush
Murtha	Sabo
Nadler	Sanders
Neal	Sawyer
Oberstar	Schumer
Obey	Scott
Olver	Serrano
Ortiz	Sisisky
Orton	Skaggs
Owens	Skelton
Pallone	Slaughter
Pastor	Spratt
Payne (NJ)	Stark
Payne (VA)	Stenholm
Pelosi	Stokes
Peterson (FL)	Studds
Pickett	Stupak

NOT VOTING—13

Baessler	Hunter	Schroeder
Ewing	McDade	Watts (OK)
Ford	McIntosh	Wilson
Gibbons	Peterson (MN)	
Hayes	Range	

□ 1255

Messrs. DOYLE, FORBES, FRISA, TORKILDSEN, and McHUGH changed their vote from "yea" to "nay."

So the previous question was ordered.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. WATT of Oklahoma. Mr. Speaker, on rollcall No. 133, I was unavoidably detained with constituents. Had I been present, I would have voted "yea."

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCINNIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 286, noes 135, not voting 12, as follows:

[Roll No. 134]

AYES—286

Allard	Brown (CA)	Cramer
Archer	Brownback	Crane
Armey	Bryant (TN)	Crapo
Bachus	Bunn	Creameans
Baker (CA)	Bunning	Cubin
Baker (LA)	Burr	Cunningham
Baldacci	Burton	Danner
Ballenger	Buyer	Davis
Barr	Callahan	Deal
Barrett (NE)	Calvert	DeLay
Bartlett	Camp	Diaz-Balart
Barton	Campbell	Dickey
Bass	Canady	Dicks
Bateman	Cardin	Doolittle
Beilenson	Castle	Dornan
Bentsen	Chabot	Doyle
Bereuter	Chambliss	Dreier
Bevill	Chenoweth	Duncan
Bilbray	Christensen	Ehlers
Bilirakis	Chrysler	Ehrlich
Bliley	Clement	Emerson
Blute	Clinger	English
Boehlert	Coble	Everett
Boehner	Collins (GA)	Fattah
Bonilla	Combust	Fawell
Bono	Condit	Fields (LA)
Brewster	Cooley	Fields (TX)
Browder	Cox	Flanagan

Foley  
Forbes  
Ford  
Fowler  
Fox  
Franks (CT)  
Franks (NJ)  
Frelinghuysen  
Frisa  
Funderburk  
Gallegly  
Ganske  
Gekas  
Geren  
Gilchrest  
Gillmor  
Gilman  
Goodlatte  
Goodling  
Gordon  
Goss  
Graham  
Green (TX)  
Greene (UT)  
Greenwood  
Gunderson  
Gutknecht  
Hall (OH)  
Hall (TX)  
Hamilton  
Hancock  
Hansen  
Hastert  
Hastings (WA)  
Hayworth  
Hefley  
Hefner  
Heineman  
Herger  
Hilleary  
Hobson  
Hoekstra  
Hoke  
Holden  
Horn  
Hostettler  
Houghton  
Hutchinson  
Hyde  
Inglis  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jacobs  
Johnson (CT)  
Johnson, Sam  
Jones  
Kanjorski  
Kaptur  
Kasich  
Kelly  
Kennedy (MA)  
Kim  
King  
Kingston  
Klug  
Knollenberg

Kolbe  
LaHood  
Largent  
Latham  
LaTourette  
Laughlin  
Lazio  
Leach  
Levin  
Lewis (CA)  
Lewis (KY)  
Lightfoot  
Lincoln  
Linder  
Livingston  
LoBiondo  
Longley  
Lucas  
Luther  
Manzullo  
Martinez  
Martini  
McCarthy  
McCollum  
McCrery  
McDade  
McHale  
McHugh  
McInnis  
McIntosh  
McKeon  
Metcalf  
Meyers  
Mica  
Miller (FL)  
Minge  
Moakley  
Molinari  
Mollohan  
Montgomery  
Moorhead  
Moran  
Morella  
Murtha  
Myers  
Myrick  
Nethercutt  
Neumann  
Ney  
Norwood  
Nussle  
Ortiz  
Oxley  
Packard  
Pallone  
Parker  
Paxon  
Payne (VA)  
Petri  
Pombo  
Porter  
Portman  
Pryce  
Quillen  
Quinn  
Radanovich  
Ramstad  
Regula

Riggs  
Rivers  
Roberts  
Roemer  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Rose  
Roth  
Roukema  
Royce  
Salmon  
Sanford  
Sawyer  
Saxton  
Scarborough  
Schaefer  
Schiff  
Seastrand  
Sensenbrenner  
Shadegg  
Shaw  
Shays  
Shuster  
Sisisky  
Skeen  
Skelton  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Solomon  
Spence  
Stearns  
Stockman  
Studds  
Stump  
Talent  
Tanner  
Tate  
Tauzin  
Taylor (NC)  
Tejeda  
Thomas  
Thornberry  
Thornton  
Tiahrt  
Torkildsen  
Traficant  
Upton  
Vucanovich  
Walker  
Walsh  
Wamp  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield  
Wicker  
Williams  
Wolf  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

Neal  
Oberstar  
Obey  
Oliver  
Orton  
Owens  
Pastor  
Payne (NJ)  
Pelosi  
Peterson (FL)  
Pickett  
Pomeroy  
Poshard  
Rahall  
Reed  
Richardson  
Roybal-Allard

Rush  
Sabo  
Sanders  
Schumer  
Scott  
Serrano  
Skaggs  
Slaughter  
Souder  
Spratt  
Stark  
Stenholm  
Stokes  
Stupak  
Taylor (MS)  
Thompson  
Thurman

Torres  
Torricelli  
Towns  
Velazquez  
Vento  
Visclosky  
Volkmmer  
Ward  
Waters  
Watt (NC)  
Waxman  
Wise  
Woolsey  
Wynn  
Yates

## NOT VOTING—12

Baesler  
Dunn  
Ewing  
Frost  
Gephardt  
Gibbons  
Hayes  
Hunter  
Peterson (MN)  
Rangel  
Schroeder  
Wilson

□ 1312

Mr. RICHARDSON changed his vote from "aye" to "no."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mrs. ROUKEMA. Mr. Speaker, yesterday on rollcall vote 131, House passage of the National Wildlife Refuge Improvement Act, H.R. 1675, I inadvertently voted "yea." I had intended to cast a "nay" vote on the legislation.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2535

Mr. CHAMBLISS. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2535.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Georgia?

There was no objection.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1202

Mr. PETERSON of Florida. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1202.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that we will now allow Members to address the House for 5 minutes each without prejudice to the resumption of business.

## SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

## HONORING CINDY JENSEN OF ROCKFORD, IL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. MANZULLO] is recognized for 5 minutes.

Mr. MANZULLO. Mr. Speaker, so much has been written, and so many discussions have taken place about how quickly life seems to pass us by in these modern times. We are always trying to make time for the parts of our lives we hold most precious: our families, our children, our spouses.

It is never until we are faced with our own mortality that we stop to realize the sweetest parts of our lives, a nectar that sustains us and refreshes our thirst to be connected to the human race. Life has meaning. All of our lives have meaning. We are all born and nurtured and educated for a purpose. We tend to forget that. We tend to forget that one so important lesson.

I have been reminded of this lesson by witnessing the journey of a constituent from Rockford in the 16th District of Illinois, Cindy Jensen, who for years has battled a liver disease and is now recovering from her third liver transplant in the last 4 months. She has not surrendered life during this difficult time. She has remained positive and has taken each day at a time.

Cindy has demonstrated the type of courage and faith that few of us ever experience. She and her family have allowed the people of the city of Rockford to share in her journey, not out of self-interest but to engage us in discussion of a much greater human cause—the importance of organ donation. There is no greater demonstration of the importance of life than when someone is faced with a life-threatening illness and still maintains the courage of her conviction that there is a greater good.

Cindy Jensen's purpose in life has become a mission of education. She has reminded us that we all share life.

In yesterday's Rockford Register Star, Judy Emerson distilled the soul of Cindy Jensen. I would like to share some of that essence with you. Keep in mind that these quotes came from Cindy just a week after her third liver transplant.

"There's been a good reason for all of this," Jensen said Monday.

I know that when I hear people say they never considered being a donor and now they will be. I hear people say they stopped praying and now, they pray all the time. Other people have said, "You've given me my faith back."

In spite of everything—or, maybe, because of it—her own faith remains intact.

"This liver is going to work beautifully," she said firmly on Monday. "God has brought me too far for it to be any other way."

Mr. Speaker, I include at this point in the RECORD the complete column by Judy Emerson from the April 24, 1996, Rockford Register Star:

## NOES—135

Abercrombie  
Ackerman  
Andrews  
Barcia  
Barrett (WI)  
Becerra  
Berman  
Bishop  
Bonior  
Borski  
Boucher  
Brown (FL)  
Brown (OH)  
Bryant (TX)  
Chapman  
Clay  
Clayton  
Clyburn  
Coburn  
Coleman  
Collins (IL)  
Collins (MI)  
Conyers  
Costello  
Coyne  
Cummings  
de la Garza  
DeFazio  
DeLauro

Dellums  
Deutsch  
Dingell  
Dixon  
Doggett  
Dooley  
Durbin  
Edwards  
Engel  
Ensign  
Eshoo  
Evans  
Farr  
Fazio  
Filner  
Flake  
Foglietta  
Frank (MA)  
Furse  
Gedden  
Gonzalez  
Gutierrez  
Harman  
Hastings (FL)  
Hilliard  
Hinchey  
Hoyer  
Jefferson  
Johnson (SD)

Johnson, E. B.  
Johnston  
Kennedy (RI)  
Kennelly  
Kildee  
Kleczka  
Klink  
LaFalce  
Lantos  
Lewis (GA)  
Lipinski  
Lofgren  
Lowey  
Maloney  
Manton  
Markey  
Mascara  
Matsui  
McDermott  
McKinney  
McNulty  
Meehan  
Meek  
Menendez  
Millender  
McDonald  
Miller (CA)  
Mink  
Nadler

## JENSEN STAYING FOCUSED ON HER MISSION

Even if Cindy Jensen weren't a friend, I'd admire her courage. Jensen, who had a third liver transplant last week at University Hospital and Clinics in Madison, Wis., granted a television interview a few days later.

Anyone who knows Jensen knows it's not like her to go on TV without makeup. Yet there she was, lying in her hospital bed, so weak her voice was barely a whisper. Cindy will forgive me for saying it, but I've seen her looking better.

Seriously, though, it's all a part of the mission, Jensen says. Her intention in granting media access every step of the way during her ordeal was to encourage organ donation. She invited cameras into the operating room as her diseased liver was removed and replaced. When she was unable to do interviews, her daughter, Andrea, and son, David, did them. By letting the public get to know her family during Jensen's life-or-death crisis, she personalized organ donation and showed why it is so important.

How like Jensen to turn something so difficult into something positive. Her campaign to educate the public about organ donation began several years ago, when she learned she suffered from primary biliary cirrhosis, a disease that causes the liver to deteriorate and, eventually, stop functioning.

She organized an annual organ fair at CherryVale Mall, and even as her own health deteriorated, she knocked herself out to ensure the event's success. Her positive attitude and smile make it easy for her friends to forget she was sick.

Finally, her condition became critical and a transplant was absolutely necessary. She went to University Hospital Jan. 2 for the first transplant. A blocked duct kept that liver from functioning properly, and she had a second transplant in early February. That liver never worked well for some unexplained reason, and Jensen's condition was deteriorating. She needed a third transplant to live. "I was dying," Jensen said Monday from University Hospital. "I knew I was running out of time."

A week after the procedure, Jensen is convinced she got her miracle. All indications are that this liver is functioning well, said Bob Hoffmann, the hospital's procurement and preservation director.

Jensen, meanwhile, is concentrating on getting strong enough to attend her own fundraiser Sunday at the Clock Tower Resort. The event is to help cover medical expenses, which haven't been totaled yet, but are expected to be hundreds of thousands of dollars.

The \$25 tickets are on sale through 5 p.m. Friday at the Clock Tower box office. The event, which begins at 4:30, features a silent auction, pasta dinner and dancing to the music of Wayward Wind.

People who can't attend the event but who want to make a contribution may send it to: Cindy Jensen Trust Fund, 5601 Knollwood Drive, Rockford, IL 61107.

"There's been a good reason for all of this," Jensen said Monday. "I know that when I hear people say they never considered being a donor and now they will be. I hear people say they stopped praying and now, they pray all the time. Other people have said, 'You've given me my faith back.'"

In spite of everything—or, maybe, because of it—her own faith remains intact.

"This liver is going to work beautifully," she said firmly on Monday. "God has brought me too far for it to be any other way."

Mr. Speaker, we come to the floor of this ennobled Chamber often more full of vitriol for our own political advantage. We seem to forget that we are not

here at cross purposes, rather that we are here for a common cause. We are here because we want to create jobs. We are here because we want to lessen the tax burden on the American people. We are here because we want to balance the budget. We are here because we all want our children to grow up well educated in a safe, clean, healthy environment. There is not one of us that comes to this well or enters the doors of this House Chamber who wants anything less. We simply have differences on how to reach those common goals.

We demean ourselves with the ugliness of partisanship. We are all guilty of that from time to time. In doing so, we, too, forget what is most important about our mission here.

I have taken this time today because I think that it is imperative that we remind ourselves of what is important—selflessness, courage, and the greater good.

Mr. Speaker, on behalf of the House, I would like to wish a speedy recovery for Cindy Jensen.

#### MINIMUM WAGE NOW AT 40-YEAR LOW; AMERICA NEEDS A RAISE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. DOGGETT] is recognized for 5 minutes.

Mr. DOGGETT. Mr. Speaker, America needs a raise. With the purchasing power of the minimum wage now approaching a 40-year low, America needs a raise. And just a few minutes ago we had an opportunity to vote on whether America should get a raise. Unfortunately, at the last minute the Gingrich leadership was able to twist enough arms, apply enough pressure, cajole enough Members, to succeed on a very narrow vote, and I think that one thing we can see from this vote, as disappointing as it is, the setback that it is to America, is that all Americans can now see that all that stands between them and this House of Representatives and a raise, all that stands between them and that raise, are 10 Republican Members and their votes, 10 Republican Members and their votes who were not willing to come forward this morning and cast a critical vote in favor of giving America a raise.

Now, what is particularly ironic about this development is the fact that there were some 15 Republican Members of this body who have already signed their name onto an increase in the minimum wage of even greater than that proposed by President Clinton, and yet those 15 Members, when they had an opportunity to come to the well of this House and cast a vote in favor of a raise for the American people, a vote that they have stood in front of the cameras and said they think the American people deserve, well, this morning they choose to vote against that raise.

It is a setback, and it is a disappointment to the people that are out there

this morning working in the nursing homes, washing dishes in the back of the restaurants, cleaning our buildings, and doing the other kinds of tasks that make life possible to go forward in America, and yet receiving the lowest wage that anyone in our country receives.

But, you know, despite this temporary setback, I remain hopeful about where we are headed in this country, hopeful because of what is happening in the budget process today. You see, it was only a year ago that Republicans came to the well of this House and demanded that we terminate the COPS Program. That is the program that is designed to get 100,000 law enforcement officers into our neighborhoods, and our streets to assure the security of our families and our businesses, and they said they did not want that program anymore.

It was only 1 year ago that the Republicans came to the well of this House, and they were saying, "You know, we have got to raise the cost of going to college for those middle-class families that are working and struggling with their young people to get them through college. What we have in mind is \$5,000 more for a Stafford loan for 4 years, the standard cost of a Federal loan to go to college." And the Republicans said, "We will place another obstacle in the way of those who are trying to educate their young people."

It was only 1 year ago that they were working to jeopardize the health care security of our seniors with their pay more, get less that they called a reform in the Medicare system, but to those seniors whose pocket was going to be invaded, to pay more, to get less, in their way of health care, who were going to face increases in premiums, increases in copayments, increases in deductible, it was a pretty heavy hit.

It was only 1 year ago that our Republican colleagues were here, indeed it was less than 1 year ago, demanding that we do further damage to the air and the water of this country with a series of very restrictive riders that they were placing on the Republican appropriations bill with reference to the environment. Indeed, they were working on that only within the last few weeks, and it was only 1 year ago, indeed only a few weeks ago, that Republicans were pursuing cuts in public education that in my hometown of Austin, TX, stood the costs about 2,300 of our youngest Texans, our pre-kindergarten children, to lose half of their pre-kindergarten program. It was the same kind of cutback that would have affected public education in a most detrimental way in our part of the country and really across this country.

What has happened in the course of that year? All of those mean-spirited, extremist initiatives, whether it was to permit more pollution of our air and water, to erect more obstacles to our young people with reference to their ability to get public education, to get a college education, whether it was the

threat to the security of health with reference to our oldest citizens, all of those initiatives, including the one concerning putting more law enforcement officers in our neighborhoods, all of those initiatives that the Gingrich leadership declared they had to have in order to have a revolution, they have now yielded on in this new budget bill.

#### REPORT FROM INDIANA: MURRAY WILSON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. MCINTOSH] is recognized for 5 minutes.

Mr. MCINTOSH. Mr. Speaker, I rise today to give my report from Indiana.

In the Second Congressional District of Indiana there are so many good people. Good people doing good things. In my book, these special individuals are Hoosier heros. Hoosier heros because they have dedicated their lives to helping others.

Mr. Speaker, Murray Wilson of Winchester, IN, is a Hoosier hero. He provides hope that one person can make a difference.

Murray Wilson has dedicated his life to raising support for local charities in his hometown. He knows in his heart that the greatest gift in life is to help others. During the day you'll find Murray washing dishes at D&J's Family Restaurant to provide for his wife, Debbie, and their 18-month-old daughter, Brittany. But his evenings are spent writing letters, rounding up pledges and championing his support drives.

Murray's efforts are sort of a legend. Ask anyone in Randolph County and they'll tell you: "Murray spends endless hours raising support for the March of Dimes, the American Heart Association, the American Cancer Society, the American Diabetes Association and the list goes on \* \* \*."

But if you ask Murray Wilson why he has made his life-mission to raise support for charitable organizations, he'll humbly tell you, "I just like to help people." To me, Mr. Speaker, that is the true American spirit.

Reach out. Lend a helping hand. Try to make a difference.

Murray Wilson may never meet the individuals who benefit from his effort. But he knows in his heart, that he's making his community a better place by lending a helping hand for those less fortunate.

Murray Wilson continues to make a difference. And for that reason, Murray Wilson of Winchester, IN, is a Hoosier hero.

Mr. Speaker, that is my report from Indiana.

□ 1330

#### INTRODUCTION OF LEGISLATION TO REPEAL LOGGING SALVAGE RIDER

The SPEAKER pro tempore (Mr. LAHOOD). Under a previous order of the

House, the gentlewoman from Oregon [Ms. FURSE] is recognized for 5 minutes.

Ms. FURSE. Mr. Speaker, last July it was about 10:30 at night, and this House passed the notorious timber salvage rider. That rider was slipped onto a bill that actually gave funding to the Oklahoma bombing victims. We knew at the time, some of us, that it was a bad idea, this bill. We knew this rider was a bad idea.

Yesterday, it just got worse, much worse. Yesterday, the Ninth U.S. Circuit Court of Appeals ruled that the logging rider, which is called by the people of this country the lawless logging rider, that this logging rider, requires the Forest Service to immediately release for logging every timber sale ever offered in every national forest in Washington and Oregon since 1990, even though those sales were stopped because they are old growth sales in environmentally sensitive areas. Not only are they old growth sales, Mr. Speaker, but they are critical for endangered fish and wildlife.

Mr. Speaker, I want to tell people that this bill has been called the salvage rider, but let me tell the Members about some of the trees that are being cut. Some of those trees are nearly 1,000 years old. They are not salvage, they are the heritage of the people of this country. Those are trees on public land, land set aside for the people, and yet, under this lawless logging rider, under this rider, the people have been shut out. Under this rider, all laws that protect that public heritage have been suspended.

Mr. Speaker, although the Forest Service is talking about salvage, we find that in fact they are reclassifying some healthy forests as salvage. So not only is this lifting the laws, not only is this shutting out the American people, but it is also a lie, because these trees are not salvage, they are healthy.

I introduced on December 7 a repeal of the lawless logging rider, and I have been joined on a bipartisan basis by 139 cosponsors. Why did I introduce this repeal? First of all, I knew it was wrong, this bill, in the first place. But then the trees began to come down in my district. Then the letters began to pour in. I would like to mention, Mr. Speaker, some of those letters.

Here is one from a small woodland owner. He said: "I speak for a large, unheard constituency in this debate. We manage our property in a sound manner, economically and environmentally, and we object to the Government doing otherwise." He opposes the salvage rider.

Here is someone from Asheville, NC, who wrote to me and said:

Thank you for introducing the repeal of the rider. I have worked all my career as a forest entomologist. I can assure you that this bill is a Trojan horse intended to get at good timber. It has been a practice for 9 years that to get a timber operator to remove infested pine, it was tacitly agreed that he would get plenty of good timber as an incentive.

I have heard from someone who says that he is a business person: "If anyone tries to tell you that business interests oppose environmental interests, I will tell you that is old-fashioned bunk. I am a small business person and I object to the rider."

Then I got a letter from John Jonathan Alward. He said: "Please continue to fight the salvage logging law. I am a Boy Scout. I believe the law is bad because it allows logging companies to strip away the natural beauty of the Northwest."

Here is one from a grandfather, who says he is outraged, outraged that it passed last summer.

Then I have one from a 67-year-old grandmother, 40 years an Oregon resident. She says: "I love this State, and I am sickened by what Congress is allowing to happen to its natural beauty and its environment."

A biologist. This is not a special interest group, Mr. Speaker. This is the people of the United States who own this land, who own this timber. He says: "As a biologist, I am greatly concerned with the deleterious effect of the salvage rider."

So I introduced the repeal of the salvage rider. What does that mean? What does it mean to repeal the salvage rider? It means we just go back to the way it used to be with the laws that had been passed by the Congress protecting the public interest. What it means when we repeal the rider is that once again we put the law in the forest, and once again we put the public interest over the special interest. We need to protect public land. It is the American heritage. I urge my colleagues to join me in repealing the so-called salvage rider. Please support 2745. Repeal the lawless logging.

#### AMERICANS ARE PAYING MORE AND GETTING LESS FOR EDUCATION, ENVIRONMENTAL, AND JOB TRAINING PROGRAMS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. MICA] is recognized for 5 minutes.

Mr. MICA. Mr. Speaker, in just a few hours the House of Representatives will probably decide one of the most important questions that has faced the Nation and this Congress. I have only been here for a little over 36 months, and there are some wonderful people in the House of Representatives that I have had the opportunity to serve with. I just wanted to give my observations of where we are at this moment as we decide on a budget, which is long overdue.

Congress, in fact, has been bankrupting our Nation with good intentions from some very well-meaning and well-intended people. The debate over the past 4 months has really been the most important debate in, I think, the last 40 years.

But we have found that in this debate, if we look at what has happened,

over those 40 years we have created scores and scores of programs, programs in education, programs in job training, programs in environment and so on. But this is what the debate has evolved down to.

However, the fundamental question being asked today is how effective are those programs. That is what this new majority continues to ask and has pressured to find the questions and the answers to. Mr. Speaker, for a moment Congress and the American people must really ask today are we paying more and getting less. That really is what the budget debate has been about. Let me, if I can, Mr. Speaker, just give a few examples of what the debate is about and how the American taxpayer is paying more and getting less. I have talked on the floor about these items.

First of all, Mr. Speaker, in education. The education battle is down to not just how much money we throw at education, but what the results are. Part of the debate is these 3,322 bureaucrats out of 4,876 in a Federal Department of Education, over 3,300 right down the street in Washington, earning more than most of our teachers, and most of them have never been in a classroom. This is what the debate is about, how big that bureaucracy is going to be.

The debate is about why our children cannot read, why our scores are lower, the dumbing down of the standards in this country, which are on the front page of even our periodicals.

There are Head Start Programs like in my community, where I have 25 administrators and 25 uncertified teachers, and the administrators are making double what the teachers or the aides are making in our Head Start Program; about an AmeriCorps Program the President has proposed that is a volunteer program that pays more and better benefits than we are giving our veterans, and the GAO says their finances in a year for this \$1 billion project, they are already in a shambles.

Then we turn to job training, another question. Here is an article, a report from the State: \$1 billion in job training in my State, and this evaluation in the last month says that we are spending \$1 billion, and less than 20 percent of the students who enter these job training programs ever complete them and 19 percent ever get a job afterward. Then they get a low-paying minimal job; a total failure in job training programs. That is what this debate is about is changing these programs, improving them, so young people have an opportunity and a job.

Finally, Mr. Speaker, about the environment: Paying more and getting less. We have heard about Superfund. We have heard the President talk about this. Superfund is a great example of a good program gone bad and that we are trying to change. It was a good idea to clean up hazardous wastesites, but it is not a good idea to spend 80 percent of the money on attorneys' fees and studies. It is not a good idea to let polluters

off the hook and not have them pay. It is not a good idea to have very few sites cleaned up. Only a handful of the hundreds and hundreds of sites have been cleaned up.

So these programs are failures. That is what this debate is about. It is a fundamental debate in this House, Mr. Speaker, that we clean up the act of government. We may not get another chance. Mr. Speaker, this is about paying more and getting less, whether it is in education, whether it is in the environment, or whether it is in job training. We should not pay more and get less.

#### THE PALESTINIAN PEOPLE SHOULD HEAR THEIR LEADERS SAY THERE IS NO ALTERNATIVE TO PEACE WITH ISRAEL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. ENGEL] is recognized for 5 minutes.

Mr. ENGEL. Mr. Speaker, just yesterday the Palestinian Assembly finally took steps to amend their charter, which calls for Israel's destruction. I have been speaking about that for a number of years here on the House floor. The United States aid to the Palestinian entity, which is about a half a billion dollars, is predicated on the removal of those covenants. Just last week I took that to the House floor and said that the date, May 7, is the date by which the covenants must be amended. According to United States law that date is 2 months after the Palestinian elections.

Yesterday the Palestinian Assembly did take steps to remove the covenants. The council amends the Palestinian national covenant by canceling clauses which contradict the letters exchanged between the PLO and the Israel Government. So, in essence, the clauses which contradict the letters exchanged by the PLO and the Israeli Government are those clauses which call for the destruction of Israel.

That is a positive step, although I must say, Mr. Speaker, it would have been far better if they would have been much more explicit and explicitly mentioned the covenants which are revoked. That would have been a lot better. Still, I want to give credit where credit is due.

The second thing to which they agreed was that the Palestinian Assembly would draft a new charter within a few short months. We are going to be looking and we are going to be seeing what is the language in that charter. We want to make sure that the new charter that is drafted has language which is compatible with pursuing peace. I think that is very, very important.

Again, while I commend the Palestinian authority and commend Yasser Arafat for taking steps finally to remove the covenants which call for Israel's destruction, I want them to know that we in the United States Congress

will continue to monitor the situation very closely and continue to watch the new charter which is going to be drafted by the Palestinian assembly.

We do not want double talk. The problem on the Palestinian side for too long has been doublespeak, talking out of 10 or 15 sides of their mouth. If you want peace you need to be unequivocal, you need to state that you want peace, and you need to say it both in English and in Arabic, so it is not only for American public opinion consumption but it is for the home crowd, so to speak. The Palestinian people should hear their leaders say that there is no alternative to peace with Israel. I wanted to say that.

I wanted to also comment on some of the other events in the Middle East. I found it a bit hypocritical that the U.N. Human Rights Commission in Geneva condemned Israel for the bombings in Lebanon, in a totally one-sided and ridiculous resolution, which said nothing about the Hezbollah guerillas which started this whole thing. The United States, to our credit, voted against it. There were only a handful of countries voting against it.

I thought it was especially hypocritical for the U.N. Human Rights Commission to do that, at the same time when the U.N. Human Rights Commission recommendations against the human rights abuse in China were not supported by the majority of countries voting, so it is hypocrisy, again. I think that is a bit ridiculous.

In Lebanon, Mr. Speaker, we ought to call it the way it is. That is, clearly, that the disruption and the hardship on both the Israeli population and the Lebanese population near the border rests solely with Syria, and with Hafiz al-Asad.

□ 1345

Syria, in essence, controls Lebanon. Lebanon has really ceased to exist as a free and independent state. There are 40,000 Syrian troops in Lebanon, and if the Syrian troops wanted to, they could control Hezbollah. They could prevent Hezbollah from wreaking havoc on Israeli civilians just south of the border.

That is what happened again and again and again during the past few weeks. No government at all can tolerate the wanton shelling of its citizens without some kind of response, and that is exactly what the Israeli Government has done. They have responded to the Hezbollah attacks.

Now, the Israeli attacks have hurt and killed civilians, and it is very, very unfortunate that civilians are maimed or killed. But it should be remembered that the Israeli troops, the Israeli attacks are going after the Hezbollah terrorists, whereas Hezbollah is specifically going after Israeli civilians.

So I say to the Syrian Government and to Mr. Assad, who talks a good game of peace but has shown absolutely zero, the nerve of him to keep our Secretary of State waiting and not

to meet with Secretary Christopher. I think we will watch the events in the Middle East very, very closely, and I am glad that peace seems to be moving forward.

#### SUCCESSFUL END TO 1996 FISCAL YEAR

The Speaker pro tempore. Under a previous order of the House, the gentleman from California [Mr. RIGGS] is recognized for 5 minutes.

Mr. RIGGS. Mr. Speaker, I simply want to stand before the House and point out that we are on the verge of a truly historic vote here over the next couple of hours. I believe that this body, in a bipartisan manner, will vote later this afternoon to approve House Resolution 3019, which is the omnibus appropriations spending bill, and that that legislation will mark the end, the successful end to the 1996 Federal fiscal year.

What makes this such a signal event and such a historic occasion is the fact that this bill, coupled with the spending cuts that were made last year in fiscal year 1995 combined, will equal savings to the taxpayer of \$32 billion, resulting in the lowest projected deficit in 14 years and the single largest cut in Government spending since World War II. So I think it is safe to say that this legislation reverses decades before of runaway Federal Government spending.

I want to point out that this legislation follows what we could have considered to be setbacks last year, the defeat in the other body, the U.S. Senate, by one vote of the constitutional balanced budget amendment; the President's veto last year of the House-Senate passed 7-year balanced budget plan. But we did not let those temporary setbacks deter from us our primary goal, which was to put the country on the path to a balanced budget in 7 years or less.

As I look down at my fellow appropriator, the gentleman from New York [Mr. FORBES], I recall that going into these budget negotiations last year we really said a couple things. One, we said the Social Security trust fund would be off-budget, now and forever. No more borrowing from the Social Security trust fund to pay for other Federal spending or to mask the true size of the Federal budget deficit.

Secondly, we said in the negotiations themselves, between the principles, we would have two conditions and two conditions only: first, the budget would have to be balanced in 7 years; and, second, we would have to balance the budget using honest numbers provided by the nonpartisan Congressional Budget Office. No more budget gimmicks or smoke and mirrors.

So we have done that. In this legislation that we will be taking up within a matter of minutes now, we will have achieved and then some the first-year spending reduction targets, the first-year deficit reduction targets to put

the country on a path to a balanced budget in 7 years.

But remember, colleagues, that that only deals with the one-third side of the Federal budget which is discretionary spending. We have this other two-thirds over here which is called mandatory spending, and it is the entitlement programs which have been on automatic pilot for years and growing as a result at an unsustainable rate.

Mr. Speaker, I simply want to conclude my remarks by saying that the problem with the Medicare trust funds is not going to go away. I introduce for the RECORD today two editorials that have appeared in northern California newspapers, one appearing in The New York Times' own Santa Rosa Press Democrat saying, "Politics As Usual Won't Save Medicare," and the second appearing on the more liberal editorial page of the San Francisco Chronicle, "Medicare Trust Fund Needs Swift Attention," with the excerpt, "Medicare's Hospital Trust Fund is in even worse shape than officials projected last year."

It is very clear from these editorials, from The New York Times article on February 5 of this year and then just earlier this week, April 23, that the Medicare trust fund is losing money at an alarming rate. There is clearly a trend developing here. We know from the media really, not from the Clinton administration but the media, that the Medicare trust fund lost \$35.7 million last year and so far this year, in fiscal year 1996, has lost \$4.2 billion.

So the point and the message here to my colleagues and to the American people is that Medicare is going broke faster than expected. The President did the wrong thing when he vetoed last year the only serious plan to reform Medicare. That is the plan that we put forward in this body and in the Senate which would have increased Medicare spending per Medicare recipient from \$4,800 today to \$7,300 7 years from now, increased Medicare spending, increased Medicare health care choices for Medicare recipients, and save the program from bankruptcy.

So this is a problem that is not going to go away. The program is continuing to head towards bankruptcy because the congressional Democrats and the President himself are choosing politics or playing politics instead of joining with us in a bipartisan fashion to address this very real problem.

The President should not have vetoed the Medicare Preservation Act. He should have in fact signed it. I dare say that if BOB DOLE was President, he would sign this very important legislation.

#### CONFERENCE REPORT ON H.R. 3019, BALANCED BUDGET DOWN PAYMENT ACT, II

Mr. LIVINGSTON submitted the following conference report and statement on the bill (H.R. 3019) making appropriations for fiscal year 1996 to

make a further downpayment toward a balanced budget, and for other purposes:

#### CONFERENCE REPORT (H. REPT. 104-537)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3019) "making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted, insert:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of the Government for the fiscal year 1996, and for other purposes, namely:*

#### TITLE I—OMNIBUS APPROPRIATIONS

SEC. 101. (a) For programs, projects or activities in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996, provided as follows, to be effective as if it had been enacted into law as the regular appropriations Act:

#### AN ACT

*Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes.*

#### TITLE I—DEPARTMENT OF JUSTICE

##### GENERAL ADMINISTRATION

##### SALARIES AND EXPENSES

*For expenses necessary for the administration of the Department of Justice, \$74,282,000; including not to exceed \$3,317,000 for the Facilities Program 2000, and including \$5,000,000 for management and oversight of Immigration and Naturalization Service activities, both sums to remain available until expended: Provided, That not to exceed 48 permanent positions and 55 full-time equivalent workyears and \$7,477,000 shall be expended for the Department Leadership Program, exclusive of augmentation that occurred in these offices in fiscal year 1995: Provided further, That not to exceed 76 permanent positions and 90 full-time equivalent workyears and \$9,487,000 shall be expended for the Offices of Legislative Affairs, Public Affairs and Policy Development: Provided further, That the latter three aforementioned offices shall not be augmented by personnel details, temporary transfers of personnel on either a reimbursable or non-reimbursable basis or any other type of formal or informal transfer or reimbursement of personnel or funds on either a temporary or long-term basis.*

##### COUNTERTERRORISM FUND

*For necessary expenses, as determined by the Attorney General, \$16,898,000, to remain available until expended, to reimburse any Department of Justice organization for (1) the costs incurred in reestablishing the operational capability of an office or facility which has been damaged or destroyed as a result of the bombing of the Alfred P. Murrah Federal Building in Oklahoma City or any domestic or international terrorist incident, (2) the costs of providing support to counter, investigate or prosecute domestic or international terrorism, including payment of rewards in connection with these activities, and (3) the costs of conducting a terrorism threat assessment of Federal agencies and their facilities: Provided, That funds provided under this section shall be available only after the Attorney*



General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

#### ADMINISTRATIVE REVIEW AND APPEALS

For expenses necessary for the administration of pardon and clemency petitions and immigration related activities, \$38,886,000: Provided, That the obligated and unobligated balances of funds previously appropriated to the General Administration, Salaries and Expenses appropriation for the Executive Office for Immigration Review and the Office of the Pardon Attorney shall be merged with this appropriation.

#### VIOLENT CRIME REDUCTION PROGRAMS, ADMINISTRATIVE REVIEW AND APPEALS

For activities authorized by sections 130005 and 130007 of Public Law 103-322, \$47,780,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund: Provided, That the obligated and unobligated balances of funds previously appropriated to the General Administration, Salaries and Expenses appropriation under title VIII of Public Law 103-317 for the Executive Office for Immigration Review shall be merged with this appropriation.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$28,960,000; including not to exceed \$10,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and for the acquisition, lease, maintenance and operation of motor vehicles without regard to the general purchase price limitation.

#### UNITED STATES PAROLE COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized by law, \$5,446,000.

#### LEGAL ACTIVITIES

##### SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

##### (INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia; \$401,929,000; of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended: Provided, That of the funds available in this appropriation, not to exceed \$22,618,000 shall remain available until expended for office automation systems for the legal divisions covered by this appropriation, and for the United States Attorneys, the Antitrust Division, and offices funded through "Salaries and Expenses", General Administration: Provided further, That of the total amount appropriated, not to exceed \$1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses: Provided further, That notwithstanding 31 U.S.C. 1342, the Attorney General may accept on behalf of the United States and credit to this appropriation, gifts of money, personal property and services, for the purpose of hosting the International Criminal Police Organization's (INTERPOL) American Regional Conference in the United States during fiscal year 1996.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$4,028,000, to be appropriated from the Vaccine Injury Compensation Trust Fund, as authorized by sec-

tion 6601 of the Omnibus Budget Reconciliation Act, 1989, as amended by Public Law 101-512 (104 Stat. 1289).

In addition, for Salaries and Expenses, General Legal Activities, \$12,000,000 shall be made available to be derived by transfer from unobligated balances of the Working Capital Fund in the Department of Justice.

#### VIOLENT CRIME REDUCTION PROGRAMS, GENERAL LEGAL ACTIVITIES

For the expeditious deportation of denied asylum applicants, as authorized by section 130005 of Public Law 103-322, \$7,591,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

#### SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, \$65,783,000: Provided, That notwithstanding any other provision of law, not to exceed \$48,262,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18(a)) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the General Fund shall be reduced as such offsetting collections are received during fiscal year 1996, so as to result in a final fiscal year 1996 appropriation from the General Fund estimated at not more than \$17,521,000: Provided further, That any fees received in excess of \$48,262,000 in fiscal year 1996, shall remain available until expended, but shall not be available for obligation until October 1, 1996.

#### SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Office of the United States Attorneys, including intergovernmental agreements, \$895,509,000, of which not to exceed \$2,500,000 shall be available until September 30, 1997 for the purposes of (1) providing training of personnel of the Department of Justice in debt collection, (2) providing services to the Department of Justice related to locating debtors and their property, such as title searches, debtor skiptracing, asset searches, credit reports and other investigations, (3) paying the costs of the Department of Justice for the sale of property not covered by the sale proceeds, such as auctioneers' fees and expenses, maintenance and protection of property and businesses, advertising and title search and surveying costs, and (4) paying the costs of processing and tracking debts owed to the United States Government: Provided, That of the total amount appropriated, not to exceed \$8,000 shall be available for official reception and representation expenses: Provided further, That not to exceed \$10,000,000 of those funds available for automated litigation support contracts and \$4,000,000 for security equipment shall remain available until expended: Provided further, That in addition to reimbursable full-time equivalent workyears available to the Office of the United States Attorneys, not to exceed 8,595 positions and 8,862 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Attorneys.

#### VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES ATTORNEYS

For activities authorized by sections 190001(d), 40114 and 130005 of Public Law 103-322, \$30,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, of which \$20,269,000 shall be available to help meet increased demands for litigation and related activities, \$500,000 to implement a program to appoint additional Federal Victim's Counselors, and \$9,231,000 for expeditious deportation of denied asylum applicants.

#### UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, \$102,390,000, as authorized by

28 U.S.C. 589a(a), to remain available until expended, for activities authorized by section 115 of the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986 (Public Law 99-554), which shall be derived from the United States Trustee System Fund: Provided, That deposits to the Fund are available in such amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, not to exceed \$44,191,000 of offsetting collections derived from fees collected pursuant to section 589a(f) of title 28, United States Code, as amended, shall be retained and used for necessary expenses in this appropriation: Provided further, That the \$102,390,000 herein appropriated from the United States Trustee System Fund shall be reduced as such offsetting collections are received during fiscal year 1996, so as to result in a final fiscal year 1996 appropriation from such Fund estimated at not more than \$58,199,000: Provided further, That any of the aforementioned fees collected in excess of \$44,191,000 in fiscal year 1996 shall remain available until expended, but shall not be available for obligation until October 1, 1996.

#### SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. 3109, \$830,000.

#### SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For necessary expenses of the United States Marshals Service; including the acquisition, lease, maintenance, and operation of vehicles and aircraft, and the purchase of passenger motor vehicles for police-type use without regard to the general purchase price limitation for the current fiscal year; \$423,248,000, as authorized by 28 U.S.C. 561(i), of which not to exceed \$6,000 shall be available for official reception and representation expenses.

#### VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES MARSHALS SERVICE

For activities authorized by section 190001(b) of Public Law 103-322, \$25,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

#### FEDERAL PRISONER DETENTION

##### (INCLUDING TRANSFER OF FUNDS)

For expenses related to United States prisoners in the custody of the United States Marshals Service as authorized in 18 U.S.C. 4013, but not including expenses otherwise provided for in appropriations available to the Attorney General; \$252,820,000, as authorized by 28 U.S.C. 561(i), to remain available until expended.

In addition, for Federal Prisoner Detention, \$9,000,000 shall be made available until expended to be derived by transfer from unobligated balances of the Working Capital Fund in the Department of Justice.

#### FEES AND EXPENSES OF WITNESSES

For expenses, mileage, compensation, and per diems of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, and for per diems in lieu of subsistence, as authorized by law, including advances, \$85,000,000, to remain available until expended; of which not to exceed \$4,750,000 may be made available for planning, construction, renovations, maintenance, remodeling, and repair of buildings and the purchase of equipment incident thereto for protected witness safesites; of which not to exceed \$1,000,000 may be made available for the purchase and maintenance of armored vehicles for transportation of protected witnesses; and of which not to exceed \$4,000,000 may be made available for the purchase, installation and maintenance of a secure automated information network to store and retrieve the identities and locations of protected witnesses.

## SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, established by title X of the Civil Rights Act of 1964, \$5,319,000: Provided, That notwithstanding any other provision of law, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict prevention and resolution activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to this section shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

## ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(A)(ii), (B), (C), (F), and (G), as amended, \$30,000,000 to be derived from the Department of Justice Assets Forfeiture Fund.

## RADIATION EXPOSURE COMPENSATION

## ADMINISTRATIVE EXPENSES

For necessary administrative expenses in accordance with the Radiation Exposure Compensation Act, \$2,655,000.

## PAYMENT TO RADIATION EXPOSURE COMPENSATION TRUST FUND

For payments to the Radiation Exposure Compensation Trust Fund, \$16,264,000, to become available on October 1, 1996.

## INTERAGENCY LAW ENFORCEMENT

## INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the detection, investigation, and prosecution of individuals involved in organized crime drug trafficking not otherwise provided for, to include intergovernmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, \$359,843,000, of which \$50,000,000 shall remain available until expended: Provided, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation: Provided further, That any unobligated balances remaining available at the end of the fiscal year shall revert to the Attorney General for reallocation among participating organizations in succeeding fiscal years, subject to the reprogramming procedures described in section 605 of this Act.

## FEDERAL BUREAU OF INVESTIGATION

## SALARIES AND EXPENSES

## (INCLUDING TRANSFER OF FUNDS)

For expenses necessary for detection, investigation, and prosecution of crimes against the United States; including purchase for police-type use of not to exceed 1,815 passenger motor vehicles of which 1,300 will be for replacement only, without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; and not to exceed \$70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; \$2,189,183,000, of which not to exceed \$50,000,000 for automated data processing and telecommunications and technical investigative equipment and \$1,000,000 for undercover operations shall remain available until September 30, 1997; of which not less than \$102,345,000 shall be for counterterrorism investigations, foreign counterintelligence, and other activities related to our national security; of which not to exceed \$98,400,000 shall remain available until expended; of which not to exceed \$10,000,000 is

authorized to be made available for making payments or advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, and drug investigations; and of which \$1,500,000 shall be available to maintain an independent program office dedicated solely to the relocation of the Criminal Justice Information Services Division and the automation of fingerprint identification services: Provided, That not to exceed \$45,000 shall be available for official reception and representation expenses: Provided further, That \$58,000,000 shall be made available for NCIC 2000, of which not less than \$35,000,000 shall be derived from ADP and Telecommunications unobligated balances, in addition, \$22,000,000 shall be derived by transfer and available until expended from unobligated balances in the Working Capital Fund of the Department of Justice.

## VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by Public Law 103-322, \$218,300,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, of which \$208,800,000 shall be for activities authorized by section 190001(c); \$4,000,000 for Training and Investigative Assistance authorized by section 210501(c)(2); and \$5,500,000 for establishing DNA quality assurance and proficiency testing standards, establishing an index to facilitate law enforcement exchange of DNA identification information, and related activities authorized by section 210306.

## CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and preliminary planning and design of projects; \$97,589,000, to remain available until expended.

## DRUG ENFORCEMENT ADMINISTRATION

## SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; purchase of not to exceed 1,208 passenger motor vehicles, of which 1,178 will be for replacement only, for police-type use without regard to the general purchase price limitation for the current fiscal year; and acquisition, lease, maintenance, and operation of aircraft; \$750,168,000, of which not to exceed \$1,800,000 for research and \$15,000,000 for transfer to the Drug Diversion Control Fee Account for operating expenses shall remain available until expended, and of which not to exceed \$4,000,000 for purchase of evidence and payments for information, not to exceed \$4,000,000 for contracting for ADP and telecommunications equipment, and not to exceed \$2,000,000 for technical and laboratory equipment shall remain available until September 30, 1997, and of which not to exceed \$50,000 shall be available for official reception and representation expenses.

## VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by sections 180104 and 190001(b) of Public Law 103-322, \$60,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

## IMMIGRATION AND NATURALIZATION SERVICE

## SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, including not to ex-

ceed \$50,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; purchase for police-type use (not to exceed 813 of which 177 are for replacement only) without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; and research related to immigration enforcement; \$1,394,825,000, of which \$36,300,000 shall remain available until September 30, 1997; of which \$506,800,000 is available for the Border Patrol; of which not to exceed \$400,000 for research shall remain available until expended; and of which not to exceed \$10,000,000 shall be available for costs associated with the training program for basic officer training: Provided, That none of the funds available to the Immigration and Naturalization Service shall be available for administrative expenses to pay any employee overtime pay in an amount in excess of \$25,000 during the calendar year beginning January 1, 1996: Provided further, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: Provided further, That not to exceed \$5,000 shall be available for official reception and representation expenses: Provided further, That the Attorney General may transfer to the Department of Labor and the Social Security Administration not to exceed \$10,000,000 for programs to verify the immigration status of persons seeking employment in the United States: Provided further, That none of the funds provided in this or any other Act shall be used for the continued operation of the San Clemente and Temecula checkpoints unless: (1) the checkpoints are open and traffic is being checked on a continuous 24-hour basis and (2) the Immigration and Naturalization Service undertakes a commuter lane facilitation pilot program at the San Clemente checkpoint within 90 days of enactment of this Act: Provided further, That the Immigration and Naturalization Service shall undertake the renovation and improvement of the San Clemente checkpoint, to include the addition of two to four lanes, and which shall be exempt from Federal procurement regulations for contract formation, from within existing balances in the Immigration and Naturalization Service Construction account: Provided further, That if renovation of the San Clemente checkpoint is not completed by July 1, 1996, the San Clemente checkpoint will close until such time as the renovations and improvements are completed unless funds for the continued operation of the checkpoint are provided and made available for obligation and expenditure in accordance with procedures set forth in section 605 of this Act, as the result of certification by the Attorney General that exigent circumstances require the checkpoint to be open and delays in completion of the renovations are not the result of any actions that are or have been in the control of the Department of Justice: Provided further, That the Office of Public Affairs at the Immigration and Naturalization Service shall conduct its business in areas only relating to its central mission, including: research, analysis, and dissemination of information, through the media and other communications outlets, relating to the activities of the Immigration and Naturalization Service: Provided further, That the Office of Congressional Relations at the Immigration and Naturalization Service shall conduct business in areas only relating to its central mission, including: providing services to Members of Congress relating to constituent inquiries and requests for information; and working with the relevant congressional committees on proposed legislation affecting immigration matters: Provided further, That in addition to amounts otherwise made available in this title to the Attorney General, the Attorney General is authorized to accept and utilize, on behalf of the United States, the \$100,000 Innovation in American Government Award for

1995 from the Ford Foundation for the Immigration and Naturalization Service's Operation Jobs program.

#### VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by sections 130005, 130006, and 130007 of Public Law 103-322, \$316,198,000, to remain available until expended, which will be derived from the Violent Crime Reduction Trust Fund, of which \$38,704,000 shall be for expeditious deportation of denied asylum applicants, \$231,570,000 for improving border controls, and \$45,924,000 for expanded special deportation proceedings: Provided, That of the amounts made available, \$75,765,000 shall be for the Border Patrol.

#### CONSTRUCTION

For planning, construction, renovation, equipping and maintenance of buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, not otherwise provided for, \$25,000,000, to remain available until expended.

#### FEDERAL PRISON SYSTEM

##### SALARIES AND EXPENSES

For expenses necessary for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed \$53, of which \$59 are for replacement only) and hire of law enforcement and passenger motor vehicles; and for the provision of technical assistance and advice on corrections related issues to foreign governments; \$2,567,578,000: Provided, That there may be transferred to the Health Resources and Services Administration such amounts as may be necessary, in the discretion of the Attorney General, for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: Provided further, That the Director of the Federal Prison System (FPS), where necessary, may enter into contracts with a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the FPS, furnish health services to individuals committed to the custody of the FPS: Provided further, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: Provided further, That not to exceed \$6,000 shall be available for official reception and representation expenses: Provided further, That not to exceed \$50,000,000 for the activation of new facilities shall remain available until September 30, 1997: Provided further, That of the amounts provided for Contract Confinement, not to exceed \$20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980 for the care and security in the United States of Cuban and Haitian entrants: Provided further, That no funds appropriated in this Act shall be used to privatize any Federal prison facilities located in Forrest City, Arkansas, and Yazoo City, Mississippi.

#### VIOLENT CRIME REDUCTION PROGRAMS

For substance abuse treatment in Federal prisons as authorized by section 32001(e) of Public Law 103-322, \$13,500,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

#### BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; leasing the Oklahoma City Airport Trust Facility; purchase and acquisition of facilities and remodeling and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account; \$334,728,000, to remain available until expended, of which not to exceed \$14,074,000 shall be available to construct areas for inmate work programs: Provided, That labor of United States prisoners may be used for work performed under this appropriation: Provided further, That not to exceed 10 percent of the funds appropriated to "Buildings and Facilities" in this Act or any other Act may be transferred to "Salaries and Expenses", Federal Prison System upon notification by the Attorney General to the Committees on Appropriations of the House of Representatives and the Senate in compliance with provisions set forth in section 605 of this Act: Provided further, That of the total amount appropriated, not to exceed \$22,351,000 shall be available for the renovation and construction of United States Marshals Service prisoner holding facilities.

#### FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase of (not to exceed five for replacement only) and hire of passenger motor vehicles.

#### LIMITATION ON ADMINISTRATIVE EXPENSES,

##### FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed \$3,559,000 of the funds of the corporation shall be available for its administrative expenses, and for services as authorized by 5 U.S.C. 3109, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

#### OFFICE OF JUSTICE PROGRAMS

##### JUSTICE ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and the Missing Children's Assistance Act, as amended, including salaries and expenses in connection therewith, and with the Victims of Crime Act of 1984, as amended, \$99,977,000, to remain available until expended, as authorized by section 1001 of title I of the Omnibus Crime Control and Safe Streets Act, as amended by Public Law 102-534 (106 Stat. 3524).

#### VIOLENT CRIME REDUCTION PROGRAMS, JUSTICE ASSISTANCE

For assistance (including amounts for administrative costs for management and administration, which amounts shall be transferred to and merged with the "Justice Assistance" account) authorized by the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322 ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968, as amended ("the 1968 Act"); and the Victims of Child Abuse Act of 1990, as amended ("the 1990 Act"); \$202,400,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund; of which \$6,000,000 shall be for the Court Appointed Special Advocate Program, as authorized by section 218 of the 1990 Act; \$750,000 for Child Abuse Training Programs for Judicial Personnel and Practitioners, as authorized by section 224 of the 1990 Act; \$130,000,000 for Grants to Combat Violence Against Women to States, units of local governments and Indian tribal governments, as authorized by section 1001(a)(18) of the 1968 Act;

\$28,000,000 for Grants to Encourage Arrest Policies to States, units of local governments and Indian tribal governments, as authorized by section 1001(a)(19) of the 1968 Act; \$7,000,000 for Rural Domestic Violence and Child Abuse Enforcement Assistance Grants, as authorized by section 40295 of the 1994 Act; \$1,000,000 for training programs to assist probation and parole officers who work with released sex offenders, as authorized by section 40152(c) of the Violent Crime Control and Law Enforcement Act of 1994; \$50,000 for grants for televised testimony, as authorized by section 1001(a)(7) of the Omnibus Crime Control and Safe Streets Act of 1968; \$200,000 for the study of State databases on the incidence of sexual and domestic violence, as authorized by section 40292 of the Violent Crime Control and Law Enforcement Act of 1994; \$1,500,000 for national stalker and domestic violence reduction, as authorized by section 40603 of the 1994 Act; \$27,000,000 for grants for residential substance abuse treatment for State prisoners authorized by section 1001(a)(17) of the 1968 Act; and \$900,000 for the Missing Alzheimer's Disease Patient Alert Program, as authorized by section 240001(d) of the 1994 Act: Provided, That any balances for these programs shall be transferred to and merged with this appropriation.

#### STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, for State and Local Narcotics Control and Justice Assistance Improvements, notwithstanding the provisions of section 511 of said Act, \$388,000,000, to remain available until expended, as authorized by section 1001 of title I of said Act, as amended by Public Law 102-534 (106 Stat. 3524), of which \$60,000,000 shall be available to carry out the provisions of chapter A of subpart 2 of part E of title I of said Act, for discretionary grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs: Provided, That balances of amounts appropriated prior to fiscal year 1995 under the authorities of this account shall be transferred to and merged with this account.

#### VIOLENT CRIME REDUCTION PROGRAMS, STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For assistance (including amounts for administrative costs for management and administration, which amounts shall be transferred to and merged with the "Justice Assistance" account) authorized by the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322 ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968, as amended ("the 1968 Act"); and the Victims of Child Abuse Act of 1990, as amended ("the 1990 Act"); \$1,605,200,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund; of which \$503,000,000 shall be for Local Law Enforcement Block Grants, pursuant to H.R. 728 as passed by the House of Representatives on February 14, 1995, except that for purposes of this Act, the Commonwealth of Puerto Rico shall be considered a "unit of local government" as well as a "state"; for the purposes set forth in paragraphs (A), (B), (D), (F), and (I) of section 101(a)(2) of H.R. 728 and for establishing crime prevention programs involving cooperation between community residents and law enforcement personnel in order to control, detect, or investigate crime or the prosecution of criminals: Provided, That no funds provided under this heading may be used as matching funds for any other federal grant program: Provided further, That notwithstanding any other provision of this title, the Attorney General may transfer up to \$18,000,000 of this amount for drug courts pursuant to title V of the 1994 Act, consistent with the reprogramming procedures outlined in section 605 of this Act: Provided further, That in lieu of any amount provided from the Local

Law Enforcement Block Grant for the District of Columbia, \$15,000,000 shall be deposited into an escrow account of the District of Columbia Financial Responsibility and Management Assistance Authority, pursuant to section 205 of Public Law 104-8, for the District of Columbia Metropolitan Police Department for law enforcement purposes and shall be disbursed from such escrow account pursuant to the instructions of the Authority and in accordance with a plan developed by the Chief of Police, after consultation with the Committees on Appropriations and Judiciary of the Senate and House of Representatives: Provided further, That \$11,000,000 of this amount shall be for Boys & Girls Clubs of America for the establishment of Boys & Girls Clubs in public housing facilities and other areas in cooperation with State and local law enforcement: Provided further, That funds may also be used to defray the costs of indemnification insurance for law enforcement officers; \$25,000,000 for grants to upgrade criminal records, as authorized by section 106(b) of the Brady Handgun Violence Prevention Act of 1993, as amended, and section 4(b) of the National Child Protection Act of 1993; \$147,000,000 as authorized by section 1001 of title I of the 1968 Act, which shall be available to carry out the provisions of subpart 1, part E of title I of the 1968 Act, notwithstanding section 511 of said Act, for the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs; \$300,000,000 for the State Criminal Alien Assistance Program, as authorized by section 242(j) of the Immigration and Nationality Act, as amended; \$617,500,000 for Violent Offender Incarceration and Truth in Sentencing Incentive Grants pursuant to subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (as amended by section 114 of this Act), of which \$200,000,000 shall be available for payments to States for incarceration of criminal aliens, and of which \$12,500,000 shall be available for the Cooperative Agreement Program; \$1,000,000 for grants to States and units of local government for projects to improve DNA analysis, as authorized by section 1001(a)(22) of the 1968 Act; \$9,000,000 for Improved Training and Technical Automation Grants, as authorized by section 210501(c)(1) of the 1994 Act; \$1,000,000 for Law Enforcement Family Support Programs, as authorized by section 1001(a)(21) of the 1968 Act; \$500,000 for Motor Vehicle Theft Prevention Programs, as authorized by section 220002(h) of the 1994 Act; \$1,000,000 for Gang Investigation Coordination and Information Collection, as authorized by section 150006 of the 1994 Act; \$200,000 for grants as authorized by section 32201(c)(3) of the 1994 Act: Provided further, That funds made available in fiscal year 1996 under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, may be obligated for programs to assist States in the litigation processing of death penalty Federal habeas corpus petitions: Provided further, That any 1995 balances for these programs shall be transferred to and merged with this appropriation: Provided further, That if a unit of local government uses any of the funds made available under this title to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public safety service.

#### COMMUNITY ORIENTED POLICING SERVICES

##### VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322 ("the 1994 Act") (including administrative costs); \$1,400,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, for Public Safety and Community Policing Grants pursuant to title I of the 1994 Act: Provided, That of this amount, \$10,000,000 shall be available for programs of Police Corps education, training and service as set forth in sec-

tions 200101-200113 of the 1994 Act: Provided further, That not to exceed 130 permanent positions and 130 full-time equivalent workyears and \$14,602,000 shall be expended for program management and administration.

##### WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement "Weed and Seed" program activities, \$28,500,000, which shall be derived from discretionary grants provided under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, to remain available until expended for intergovernmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies engaged in the investigation and prosecution of violent crimes and drug offenses in "Weed and Seed" designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the "Weed and Seed" program strategy: Provided, That funds designated by Congress through language for other Department of Justice appropriation accounts for "Weed and Seed" program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: Provided further, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of "Weed and Seed" program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

##### JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, including salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Justice Assistance, \$144,000,000, to remain available until expended, as authorized by section 299 of part I of title II and section 506 of title V of the Act, as amended by Public Law 102-586, of which: (1) \$100,000,000 shall be available for expenses authorized by parts A, B, and C of title II of the Act; (2) \$10,000,000 shall be available for expenses authorized by sections 281 and 282 of part D of title II of the Act for prevention and treatment programs relating to juvenile gangs; (3) \$10,000,000 shall be available for expenses authorized by section 285 of part E of title II of the Act; (4) \$4,000,000 shall be available for expenses authorized by part G of title II of the Act for juvenile mentoring programs; and (5) \$20,000,000 shall be available for expenses authorized by title V of the Act for incentive grants for local delinquency prevention programs.

In addition, for grants, contracts, cooperative agreements, and other assistance authorized by the Victims of Child Abuse Act of 1990, as amended, \$4,500,000, to remain available until expended, as authorized by section 214B, of the Act: Provided, That balances of amounts appropriated prior to fiscal year 1995 under the authorities of this account shall be transferred to and merged with this account.

##### PUBLIC SAFETY OFFICERS BENEFITS

For payments authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), as amended, such sums as are necessary, to remain available until expended, as authorized by section 6093 of Public Law 100-690 (102 Stat. 4339-4340), and, in addition, \$2,134,000, to remain available until expended, for payments as authorized by section 1201(b) of said Act.

##### GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 114. (a) GRANT PROGRAM.—Subtitle A of title II of the Violent Crime Control and Law

Enforcement Act of 1994 is amended to read as follows:

#### "Subtitle A—Violent Offender Incarceration and Truth-in-Sentencing Incentive Grants"

##### "SEC. 20101. DEFINITIONS.

"Unless otherwise provided, for purposes of this subtitle—

"(1) the term 'indeterminate sentencing' means a system by which—

"(A) the court may impose a sentence of a range defined by statute; and

"(B) an administrative agency, generally the parole board, or the court, controls release within the statutory range;

"(2) the term 'part 1 violent crime' means murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault as reported to the Federal Bureau of Investigation for purposes of the Uniform Crime Reports; and

"(3) the term 'State' means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands.

##### "SEC. 20102. AUTHORIZATION OF GRANTS.

"(a) IN GENERAL.—The Attorney General shall provide Violent Offender Incarceration grants under section 20103 and Truth-in-Sentencing Incentive grants under section 20104 to eligible States—

"(1) to build or expand correctional facilities to increase the bed capacity for the confinement of persons convicted of a part 1 violent crime or adjudicated delinquent for an act which if committed by an adult, would be a part 1 violent crime;

"(2) to build or expand temporary or permanent correctional facilities, including facilities on military bases, prison barges, and boot camps, for the confinement of convicted non-violent offenders and criminal aliens, for the purpose of freeing suitable existing prison space for the confinement of persons convicted of a part 1 violent crime; and

"(3) to build or expand jails.

"(b) REGIONAL COMPACTS.—

"(1) IN GENERAL.—Subject to paragraph (2), States may enter into regional compacts to carry out this subtitle. Such compacts shall be treated as States under this subtitle.

"(2) REQUIREMENT.—To be recognized as a regional compact for eligibility for a grant under section 20103 or 20104, each member State must be eligible individually.

"(3) LIMITATION ON RECEIPT OF FUNDS.—No State may receive a grant under this subtitle both individually and as part of a compact.

"(c) APPLICABILITY.—Notwithstanding the eligibility requirements of section 20104, a State that certifies to the Attorney General that, as of the date of enactment of the Department of Justice Appropriations Act, 1996, such State has enacted legislation in reliance on subtitle A of title II of the Violent Crime Control and Law Enforcement Act, as enacted on September 13, 1994, and would in fact qualify under those provisions, shall be eligible to receive a grant for fiscal year 1996 as though such State qualifies under section 20104 of this subtitle.

##### "SEC. 20103. VIOLENT OFFENDER INCARCERATION GRANTS.

"(a) ELIGIBILITY FOR MINIMUM GRANT.—To be eligible to receive a minimum grant under this section, a State shall submit an application to the Attorney General that provides assurances that the State has implemented, or will implement, correctional policies and programs, including truth-in-sentencing laws that ensure that violent offenders serve a substantial portion of the sentences imposed, that are designed to provide sufficiently severe punishment for violent offenders, including violent juvenile offenders, and that the prison time served is appropriately related to the determination that the inmate is a violent offender and for a period of time deemed necessary to protect the public.

"(b) ADDITIONAL AMOUNT FOR INCREASED PERCENTAGE OF PERSONS SENTENCED AND TIME

SERVED.—A State that received a grant under subsection (a) is eligible to receive additional grant amounts if such State demonstrates that the State has, since 1993—

“(1) increased the percentage of persons arrested for a part 1 violent crime sentenced to prison; or

“(2) increased the average prison time actually served or the average percent of sentence served by persons convicted of a part 1 violent crime.

Receipt of grant amounts under this subsection does not preclude eligibility for a grant under subsection (c).

“(C) ADDITIONAL AMOUNT FOR INCREASED RATE OF INCARCERATION AND PERCENTAGE OF SENTENCE SERVED.—A State that received a grant under subsection (a) is eligible to receive additional grant amounts if such State demonstrates that the State has—

“(1) since 1993, increased the percentage of persons arrested for a part 1 violent crime sentenced to prison, and has increased the average percent of sentence served by persons convicted of a part 1 violent crime; or

“(2) has increased by 10 percent or more over the most recent 3-year period the number of new court commitments to prison of persons convicted of part 1 violent crimes.

Receipt of grant amounts under this subsection does not preclude eligibility for a grant under subsection (b).

**“SEC. 20104. TRUTH-IN-SENTENCING INCENTIVE GRANTS.**

“(a) ELIGIBILITY.—To be eligible to receive a grant award under this section, a State shall submit an application to the Attorney General that demonstrates that—

“(1) such State has implemented truth-in-sentencing laws that—

“(A) require persons convicted of a part 1 violent crime to serve not less than 85 percent of the sentence imposed (without counting time not actually served, such as administrative or statutory incentives for good behavior); or

“(B) result in persons convicted of a part 1 violent crime serving on average not less than 85 percent of the sentence imposed (without counting time not actually served, such as administrative or statutory incentives for good behavior);

“(2) such State has truth-in-sentencing laws that have been enacted, but not yet implemented, that require such State, not later than 3 years after such State submits an application to the Attorney General, to provide that persons convicted of a part 1 violent crime serve not less than 85 percent of the sentence imposed (without counting time not actually served, such as administrative or statutory incentives for good behavior); or

“(3) in the case of a State that on the date of enactment of the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act, 1996, practices indeterminate sentencing with regard to any part 1 violent crime—

“(A) persons convicted of a part 1 violent crime on average serve not less than 85 percent of the prison term established under the State's sentencing and release guidelines; or

“(B) persons convicted of a part 1 violent crime on average serve not less than 85 percent of the maximum prison term allowed under the sentence imposed by the court (not counting time not actually served such as administrative or statutory incentives for good behavior).

“(b) EXCEPTION.—Notwithstanding subsection (a), a State may provide that the Governor of the State may allow for the earlier release of—

“(1) a geriatric prisoner; or

“(2) a prisoner whose medical condition precludes the prisoner from posing a threat to the public, but only after a public hearing in which representatives of the public and the prisoner's victims have had an opportunity to be heard regarding a proposed release.

**“SEC. 20105. SPECIAL RULES.**

“(a) SHARING OF FUNDS WITH COUNTIES AND OTHER UNITS OF LOCAL GOVERNMENT.—

“(1) RESERVATION.—Each State shall reserve not more than 15 percent of the amount of funds allocated in a fiscal year pursuant to section 20106 for counties and units of local government to construct, develop, expand, modify, or improve jails and other correctional facilities.

“(2) FACTORS FOR DETERMINATION OF AMOUNT.—To determine the amount of funds to be reserved under this subsection, a State shall consider the burden placed on a county or unit of local government that results from the implementation of policies adopted by the State to carry out section 20103 or 20104.

“(b) ADDITIONAL REQUIREMENT.—To be eligible to receive a grant under section 20103 or 20104, a State shall provide assurances to the Attorney General that the State has implemented or will implement not later than 18 months after the date of the enactment of this subtitle, policies that provide for the recognition of the rights and needs of crime victims.

“(c) FUNDS FOR JUVENILE OFFENDERS.—Notwithstanding any other provision of this subtitle, if a State, or unit of local government located in a State that otherwise meets the requirements of section 20103 or 20104, certifies to the Attorney General that exigent circumstances exist that require the State to expend funds to build or expand facilities to confine juvenile offenders other than juvenile offenders adjudicated delinquent for an act which, if committed by an adult, would be a part 1 violent crime, the State may use funds received under this subtitle to build or expand juvenile correctional facilities or pretrial detention facilities for juvenile offenders.

“(d) PRIVATE FACILITIES.—A State may use funds received under this subtitle for the privatization of facilities to carry out the purposes of section 20102.

“(e) DEFINITION.—For purposes of this subtitle, “part 1 violent crime” means a part 1 violent crime as defined in section 20101(3), or a crime in a reasonably comparable class of serious violent crimes as approved by the Attorney General.

**“SEC. 20106. FORMULA FOR GRANTS.**

“(a) ALLOCATION OF VIOLENT OFFENDER INCARCERATION GRANTS UNDER SECTION 20103.—

“(1) FORMULA ALLOCATION.—85 percent of the amount available for grants under section 20103 for any fiscal year shall be allocated as follows (except that a State may not receive more than 9 percent of the total amount of funds made available under this paragraph):

“(A) 0.75 percent shall be allocated to each State that meets the requirements of section 20103(a), except that the United States Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands, if eligible under section 20103(a), shall each be allocated 0.05 percent.

“(B) The amount remaining after application of subparagraph (A) shall be allocated to each State that meets the requirements of section 20103(b), in the ratio that the number of part 1 violent crimes reported by such State to the Federal Bureau of Investigation for the 3 years preceding the year in which the determination is made, bears to the average annual number of part 1 violent crimes reported by all States that meet the requirements of section 20103(b) to the Federal Bureau of Investigation for the 3 years preceding the year in which the determination is made.

“(2) ADDITIONAL ALLOCATION.—15 percent of the amount available for grants under section 20103 for any fiscal year shall be allocated to each State that meets the requirements of section 20103(c) as follows:

“(A) 3.0 percent shall be allocated to each State that meets the requirements of section 20103(c), except that the United States Virgin Islands, American Samoa, Guam, and the Com-

monwealth of the Northern Mariana Islands, if eligible under such subsection, shall each be allocated 0.03 percent.

“(B) The amount remaining after application of subparagraph (A) shall be allocated to each State that meets the requirements of section 20103(c), in the ratio that the number of part 1 violent crimes reported by such State to the Federal Bureau of Investigation for the 3 years preceding the year in which the determination is made, bears to the average annual number of part 1 violent crimes reported by all States that meet the requirements of section 20102(c) to the Federal Bureau of Investigation for the 3 years preceding the year in which the determination is made.

“(b) ALLOCATION OF TRUTH-IN-SENTENCING GRANTS UNDER SECTION 20104.—The amounts available for grants for section 20104 shall be allocated to each State that meets the requirements of section 20104 in the ratio that the average annual number of part 1 violent crimes reported by such State to the Federal Bureau of Investigation for the 3 years preceding the year in which the determination is made bears to the average annual number of part 1 violent crimes reported by States that meet the requirements of section 20104 to the Federal Bureau of Investigation for the 3 years preceding the year in which the determination is made, except that a State may not receive more than 25 percent of the total amount available for such grants.

“(c) UNAVAILABLE DATA.—If data regarding part 1 violent crimes in any State is substantially inaccurate or is unavailable for the 3 years preceding the year in which the determination is made, the Attorney General shall utilize the best available comparable data regarding the number of violent crimes for the previous year for the State for the purposes of allocation of funds under this subtitle.

“(d) REGIONAL COMPACTS.—In determining the amount of funds that States organized as a regional compact may receive, the Attorney General shall first apply the formula in either subsection (a) or (b) and (c) of this section to each member State of the compact. The States organized as a regional compact may receive the sum of the amounts so determined.

**“SEC. 20107. ACCOUNTABILITY.**

“(a) FISCAL REQUIREMENTS.—A State that receives funds under this subtitle shall use accounting, audit, and fiscal procedures that conform to guidelines prescribed by the Attorney General, and shall ensure that any funds used to carry out the programs under section 20102(a) shall represent the best value for the State governments at the lowest possible cost and employ the best available technology.

“(b) ADMINISTRATIVE PROVISIONS.—The administrative provisions of sections 801 and 802 of the Omnibus Crime Control and Safe Streets Act of 1968 shall apply to the Attorney General under this subtitle in the same manner that such provisions apply to the officials listed in such sections.

**“SEC. 20108. AUTHORIZATION OF APPROPRIATIONS.**

“(a) IN GENERAL.—

“(1) AUTHORIZATIONS.—There are authorized to be appropriated to carry out this subtitle—

“(A) \$997,500,000 for fiscal year 1996;

“(B) \$1,330,000,000 for fiscal year 1997;

“(C) \$2,527,000,000 for fiscal year 1998;

“(D) \$2,660,000,000 for fiscal year 1999; and

“(E) \$2,753,100,000 for fiscal year 2000.

“(2) DISTRIBUTION.—

“(A) IN GENERAL.—Of the amounts remaining after the allocation of funds for the purposes set forth under sections 20110, 20111, and 20109, the Attorney General shall, from amounts authorized to be appropriated under paragraph (1) for each fiscal year, distribute 50 percent for incarceration grants under section 20103, and 50 percent for incentive grants under section 20104.

“(B) DISTRIBUTION OF MINIMUM AMOUNTS.—The Attorney General shall distribute minimum

amounts allocated for section 20103(a) to an eligible State not later than 30 days after receiving an application that demonstrates that such State qualifies for a Violent Offender Incarceration grant under section 20103 or a Truth-in-Sentencing Incentive grant under section 20104.

**“(b) LIMITATIONS ON FUNDS.—**

**“(1) USES OF FUNDS.—**Except as provided in section 20110 and 20111, funds made available pursuant to this section shall be used only to carry out the purposes described in section 20102(a).

**“(2) NONSUPPLANTING REQUIREMENT.—**Funds made available pursuant to this section shall not be used to supplant State funds, but shall be used to increase the amount of funds that would, in the absence of Federal funds, be made available from State sources.

**“(3) ADMINISTRATIVE COSTS.—**Not more than 3 percent of the funds that remain available after carrying out sections 20109, 20110, and 20111 shall be available to the Attorney General for purposes of—

**“(A) administration;**

**“(B) research and evaluation, including assessment of the effect on public safety and other effects of the expansion of correctional capacity and sentencing reforms implemented pursuant to this subtitle;**

**“(C) technical assistance relating to the use of grant funds, and development and implementation of sentencing reforms implemented pursuant to this subtitle; and**

**“(D) data collection and improvement of information systems relating to the confinement of violent offenders and other sentencing and correctional matters.**

**“(4) CARRYOVER OF APPROPRIATIONS.—**Funds appropriated pursuant to this section during any fiscal year shall remain available until expended.

**“(5) MATCHING FUNDS.—**The Federal share of a grant received under this subtitle may not exceed 90 percent of the costs of a proposal as described in an application approved under this subtitle.

**“SEC. 20109. PAYMENTS FOR INCARCERATION ON TRIBAL LANDS.**

**“(a) RESERVATION OF FUNDS.—**Notwithstanding any other provision of this subtitle other than section 20108(a)(2), from amounts appropriated to carry out sections 20103 and 20104, the Attorney General shall reserve, to carry out this section—

**“(1) 0.3 percent in each of fiscal years 1996 and 1997; and**

**“(2) 0.2 percent in each of fiscal years 1998, 1999, and 2000.**

**“(b) GRANTS TO INDIAN TRIBES.—**From the amounts reserved under subsection (a), the Attorney General may make grants to Indian tribes for the purposes of constructing jails on tribal lands for the incarceration of offenders subject to tribal jurisdiction.

**“(c) APPLICATIONS.—**To be eligible to receive a grant under this section, an Indian tribe shall submit to the Attorney General an application in such form and containing such information as the Attorney General may by regulation require.

**“SEC. 20110. PAYMENTS TO ELIGIBLE STATES FOR INCARCERATION OF CRIMINAL ALIENS.**

**“(a) IN GENERAL.—**The Attorney General shall make a payment to each State which is eligible under section 242(j) of the Immigration and Nationality Act in such amount as is determined under section 242(j), and for which payment is not made to such State for such fiscal year under such section.

**“(b) AUTHORIZATION OF APPROPRIATIONS.—**Notwithstanding any other provision of this subtitle, there are authorized to be appropriated to carry out this section from amounts authorized under section 20108, an amount which when added to amounts appropriated to carry out section 242(j) of the Immigration and Nationality Act for fiscal year 1996 equals

\$500,000,000 and for each of the fiscal years 1997 through 2000 does not exceed \$650,000,000.

**“(c) ADMINISTRATION.—**The amounts appropriated to carry out this section shall be reserved from the total amount appropriated for each fiscal year and shall be added to the other funds appropriated to carry out section 242(j) of the Immigration and Nationality Act and administered under such section.

**“(d) REPORT TO CONGRESS.—**Not later than May 15, 1999, the Attorney General shall submit a report to the Congress which contains the recommendation of the Attorney General concerning the extension of the program under this section.

**“SEC. 20111. SUPPORT OF FEDERAL PRISONERS IN NON-FEDERAL INSTITUTIONS.**

**“(a) IN GENERAL.—**The Attorney General may make payments to States and units of local government for the purposes authorized in section 4013 of title 18, United States Code.

**“(b) AUTHORIZATION OF APPROPRIATIONS.—**Notwithstanding any other provision of this subtitle other than section 20108(a)(2), there are authorized to be appropriated from amounts authorized under section 20108 for each of fiscal years 1996 through 2000 such sums as may be necessary to carry out this section.

**“SEC. 20112. REPORT BY THE ATTORNEY GENERAL.**

**“Beginning on October 1, 1996, and each subsequent July 1 thereafter, the Attorney General shall report to the Congress on the implementation of this subtitle, including a report on the eligibility of the States under sections 20103 and 20104, and the distribution and use of funds under this subtitle.”**

**(b) CONFORMING AMENDMENTS.—**

**(1) OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968.—**

**(A) PART V.—**Part V of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is repealed.

**(B) FUNDING.—**

**(i) Section 1001(a) of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by striking paragraph (20).**

**(ii) Notwithstanding the provisions of subparagraph (A), any funds that remain available to an applicant under paragraph (20) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 shall be used in accordance with part V of such Act as if such Act was in effect on the day preceding the date of enactment of this Act.**

**(2) VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994.—**

**(A) TABLE OF CONTENTS.—**The table of contents of the Violent Crime Control and Law Enforcement Act of 1994 is amended by striking the matter relating to title V.

**(B) COMPLIANCE.—**Notwithstanding the provisions of paragraph (1), any funds that remain available to an applicant under title V of the Violent Crime Control and Law Enforcement Act of 1994 shall be used in accordance with such subtitle as if such subtitle was in effect on the day preceding the date of enactment of this Act.

**(C) TRUTH-IN-SENTENCING.—**The table of contents of the Violent Crime Control and Law Enforcement Act of 1994 is amended by striking the matter relating to subtitle A of title II and inserting the following:

**“SUBTITLE A—VIOLENT OFFENDER INCARCERATION AND TRUTH-IN-SENTENCING INCENTIVE GRANTS**

**“Sec. 20101. Definitions.**

**“Sec. 20102. Authorization of Grants.**

**“Sec. 20103. Violent offender incarceration grants.**

**“Sec. 20104. Truth-in-sentencing incentive grants.**

**“Sec. 20105. Special rules.**

**“Sec. 20106. Formula for grants.**

**“Sec. 20107. Accountability.**

**“Sec. 20108. Authorization of appropriations.**

**“Sec. 20109. Payments for Incarceration on Tribal Lands.**

**“Sec. 20110. Payments to eligible States for incarceration of criminal aliens.**

**“Sec. 20111. Support of Federal prisoners in non-Federal institutions.**

**“Sec. 20112. Report by the Attorney General.”**

**SEC. 120.** The pilot debt collection project authorized by Public Law 99-578, as amended, is extended through September 30, 1997.

**SEC. 121.** The definition of “educational expenses” in Section 200103 of the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322 is amended to read as follows: “educational expenses” means expenses that are directly attributable to a course of education leading to the award of either a baccalaureate or graduate degree in a course of study which, in the judgment of the State or local police force to which the participant will be assigned, includes appropriate preparation for police service including the cost of tuition, fees, books, supplies, transportation, room and board and miscellaneous expenses.”

**SEC. 122.** Section 524(c) of title 28, United States Code, is amended by striking subparagraph (8)(E), as added by section 110 of the Department of Justice and Related Agencies Appropriations Act, 1995 (P.L. 103-317, 108 Stat. 1735 (1994)).

This title may be cited as the “Department of Justice Appropriations Act, 1996”.

**TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES**

**TRADE AND INFRASTRUCTURE DEVELOPMENT RELATED AGENCIES**

**OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**

**SALARIES AND EXPENSES**

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, \$20,889,000, of which \$2,500,000 shall remain available until expended: Provided, That not to exceed \$98,000 shall be available for official reception and representation expenses.

**INTERNATIONAL TRADE COMMISSION**

**SALARIES AND EXPENSES**

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed \$2,500 for official reception and representation expenses, \$40,000,000, to remain available until expended.

**DEPARTMENT OF COMMERCE**

**INTERNATIONAL TRADE ADMINISTRATION**

**OPERATIONS AND ADMINISTRATION**

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 1517; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed \$327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed \$30,000 per vehicle; obtain insurance on official motor vehicles; and rent tie lines and teletype equipment;



\$264,885,000, to remain available until expended: Provided, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to 15 U.S.C. 4912; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act shall include payment for assessments for services provided as part of these activities.

#### EXPORT ADMINISTRATION

##### OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed \$15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law; \$38,604,000, to remain available until expended: Provided, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: Provided further, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

#### ECONOMIC DEVELOPMENT ADMINISTRATION

##### ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, as amended, Public Law 91-304, and such laws that were in effect immediately before September 30, 1982, and for trade adjustment assistance, \$328,500,000: Provided, That none of the funds appropriated or otherwise made available under this heading may be used directly or indirectly for attorneys' or consultants' fees in connection with securing grants and contracts made by the Economic Development Administration: Provided further, That, notwithstanding any other provision of law, the Secretary of Commerce may provide financial assistance for projects to be located on military installations closed or scheduled for closure or realignment to grantees eligible for assistance under the Public Works and Economic Development Act of 1965, as amended, without it being required that the grantee have title or ability to obtain a lease for the property, for the useful life of the project, when in the opinion of the Secretary of Commerce, such financial assistance is necessary for the economic development of the area: Provided further, That the Secretary of Commerce may, as the Secretary considers appropriate, consult with the Secretary of Defense regarding the title to land on military installations closed or scheduled for closure or realignment.

#### SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as

provided for by law, \$20,000,000: Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, as amended, title II of the Trade Act of 1974, as amended, and the Community Emergency Drought Relief Act of 1977.

#### MINORITY BUSINESS DEVELOPMENT AGENCY

##### MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, \$32,000,000.

#### ECONOMIC AND INFORMATION INFRASTRUCTURE

##### ECONOMIC AND STATISTICAL ANALYSIS

##### SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, \$45,900,000, to remain available until September 30, 1997.

#### ECONOMICS AND STATISTICS ADMINISTRATION

##### REVOLVING FUND

The Secretary of Commerce is authorized to disseminate economic and statistical data products as authorized by 15 U.S.C. 1525-1527 and, notwithstanding 15 U.S.C. 4912, charge fees necessary to recover the full costs incurred in their production. Notwithstanding 31 U.S.C. 3302, receipts received from these data dissemination activities shall be credited to this account, to be available for carrying out these purposes without further appropriation.

#### BUREAU OF THE CENSUS

##### SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, \$133,812,000.

##### PERIODIC CENSUSES AND PROGRAMS

For expenses necessary to collect and publish statistics for periodic censuses and programs provided for by law, \$150,300,000, to remain available until expended.

#### NATIONAL TELECOMMUNICATIONS AND

##### INFORMATION ADMINISTRATION

##### SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration, \$17,000,000 to remain available until expended: Provided, That notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce is authorized to charge Federal agencies for spectrum management, analysis, and operations, and related services: Provided further, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for spectrum management, analysis, and operations, and related services and for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of the NTIA in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

#### PUBLIC BROADCASTING FACILITIES, PLANNING AND CONSTRUCTION

For grants authorized by section 392 of the Communications Act of 1934, as amended, \$15,500,000, to remain available until expended as authorized by section 391 of the Act, as amended: Provided, That not to exceed \$2,200,000 shall be available for program administration as authorized by section 391 of the Act: Provided further, That notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

#### INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended,

\$21,500,000, to remain available until expended as authorized by section 391 of the Act, as amended: Provided, That not to exceed \$3,000,000 shall be available for program administration and other support activities as authorized by section 391 of the Act including support of the Advisory Council on National Information Infrastructure: Provided further, That of the funds appropriated herein, not to exceed 5 percent may be available for telecommunications research activities for projects related directly to the development of a national information infrastructure: Provided further, That notwithstanding the requirements of section 392(a) and 392(c) of the Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety or other social services.

#### PATENT AND TRADEMARK OFFICE

##### SALARIES AND EXPENSES

For necessary expenses of the Patent and Trademark Office provided for by law, including defense of suits instituted against the Commissioner of Patents and Trademarks; \$82,324,000, to remain available until expended: Provided, That the funds made available under this heading are to be derived from deposits in the Patent and Trademark Office Fee Surcharge Fund as authorized by law: Provided further, That the amounts made available under the Fund shall not exceed amounts deposited; and such fees as shall be collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, shall remain available until expended.

#### SCIENCE AND TECHNOLOGY

##### NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

##### SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, \$259,000,000, to remain available until expended, of which not to exceed \$8,500,000 may be transferred to the "Working Capital Fund".

##### INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership and the Advanced Technology Program of the National Institute of Standards and Technology, \$301,000,000, to remain available until expended, of which \$80,000,000 shall be for the Manufacturing Extension Partnership, and of which \$221,000,000 shall be for the Advanced Technology Program: Provided, That not to exceed \$500,000 may be transferred to the "Working Capital Fund".

##### CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c-278e, \$60,000,000, to remain available until expended.

#### NATIONAL OCEANIC AND ATMOSPHERIC

##### ADMINISTRATION

##### OPERATIONS, RESEARCH, AND FACILITIES

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including acquisition, maintenance, operation, and hire of aircraft; not to exceed 358 commissioned officers on the active list; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and alteration, modernization, and relocation of facilities as authorized by 33 U.S.C. 883i; \$1,795,677,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 but consistent with other existing law, fees shall be assessed, collected, and credited to this appropriation as offsetting collections to be available until expended, to recover the costs of administering



aeronautical charting programs: Provided further, That the sum herein appropriated from the general fund shall be reduced as such additional fees are received during fiscal year 1996, so as to result in a final general fund appropriation estimated at not more than \$1,792,677,000: Provided further, That any such additional fees received in excess of \$3,000,000 in fiscal year 1996 shall not be available for obligation until October 1, 1996: Provided further, That fees and donations received by the National Ocean Service for the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: Provided further, That in addition, \$63,000,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries": Provided further, That grants to States pursuant to sections 306 and 306(a) of the Coastal Zone Management Act, as amended, shall not exceed \$2,000,000.

#### COASTAL ZONE MANAGEMENT FUND

Of amounts collected pursuant to 16 U.S.C. 1456a, not to exceed \$7,800,000, for purposes set forth in 16 U.S.C. 1456a(b)(2)(A), 16 U.S.C. 1456a(b)(2)(B)(v), and 16 U.S.C. 1461(e).

#### CONSTRUCTION

For repair and modification of, and additions to, existing facilities and construction of new facilities, and for facility planning and design and land acquisition not otherwise provided for the National Oceanic and Atmospheric Administration, \$50,000,000, to remain available until expended.

#### FLEET MODERNIZATION, SHIPBUILDING AND CONVERSION

For expenses necessary for the repair, acquisition, leasing, or conversion of vessels, including related equipment to maintain and modernize the existing fleet and to continue planning the modernization of the fleet, for the National Oceanic and Atmospheric Administration, \$8,000,000, to remain available until expended.

#### FISHING VESSEL AND GEAR DAMAGE COMPENSATION FUND

For carrying out the provisions of section 3 of Public Law 95-376, not to exceed \$1,032,000, to be derived from receipts collected pursuant to 22 U.S.C. 1980 (b) and (f), to remain available until expended.

#### FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95-372, not to exceed \$999,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

#### FOREIGN FISHING OBSERVER FUND

For expenses necessary to carry out the provisions of the Atlantic Tunas Convention Act of 1975, as amended (Public Law 96-339), the Magnuson Fishery Conservation and Management Act of 1976, as amended (Public Law 100-627) and the American Fisheries Promotion Act (Public Law 96-561), there are appropriated from the fees imposed under the foreign fishery observer program authorized by these Acts, not to exceed \$196,000, to remain available until expended.

#### FISHING VESSEL OBLIGATIONS GUARANTEES

For the cost, as defined in section 502 of the Federal Credit Reform Act of 1990, of guaranteed loans authorized by the Merchant Marine Act of 1936, as amended, \$250,000: Provided, That none of the funds made available under this heading may be used to guarantee loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

#### TECHNOLOGY ADMINISTRATION

#### UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF TECHNOLOGY POLICY

#### SALARIES AND EXPENSES

For necessary expenses for the Under Secretary for Technology/Office of Technology Policy, \$7,000,000.

#### GENERAL ADMINISTRATION

#### SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of Commerce provided for by law, including not to exceed \$3,000 for official entertainment, \$29,100,000.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1-11 as amended by Public Law 100-504), \$19,849,000.

#### NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

#### CONSTRUCTION OF RESEARCH FACILITIES (RESCISSION)

Of the unobligated balances available under this heading, \$75,000,000 are rescinded.

#### GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary that such payments are in the public interest.

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

SEC. 203. None of the funds made available by this Act may be used to support the hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.

SEC. 204. None of the funds provided in this or any previous Act, or hereinafter made available to the Department of Commerce shall be available to reimburse the Unemployment Trust Fund or any other fund or account of the Treasury to pay for any expenses paid before October 1, 1992, as authorized by section 8501 of title 5, United States Code, for services performed after April 20, 1990, by individuals appointed to temporary positions within the Bureau of the Census for purposes relating to the 1990 decennial census of population.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 206. (a) Should legislation be enacted to dismantle or reorganize the Department of Commerce, the Secretary of Commerce, no later than 90 days thereafter, shall submit to the Committees on Appropriations of the House and the Senate a plan for transferring funds provided in this Act to the appropriate successor organizations: Provided, That the plan shall include a proposal for transferring or rescinding funds appropriated herein for agencies or programs terminated under such legislation: Provided further, That such plan shall be transmitted in accordance with section 605 of this Act.

(b) The Secretary of Commerce or the appropriate head of any successor organization(s) may use any available funds to carry out legislation dismantling or reorganizing the Department of Commerce to cover the costs of actions

relating to the abolishment, reorganization or transfer of functions and any related personnel action, including voluntary separation incentives if authorized by such legislation: Provided, That the authority to transfer funds between appropriations accounts that may be necessary to carry out this section is provided in addition to authorities included under section 205 of this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That no monies appropriated under this Act or any other law shall be used by the Secretary of Commerce to issue final determinations under subsections (a), (b), (c), (e), (g) or (i) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533), until such time as legislation reauthorizing the Act is enacted or until the end of fiscal year 1996, whichever is earlier, except that monies appropriated under this Act may be used to delist or reclassify species pursuant to subsections 4(a)(2)(B), 4(c)(2)(B)(i), and 4(c)(2)(B)(ii) of the Endangered Species Act, and may be used to issue emergency listings under section 4(b)(7) of the Endangered Species Act.

SEC. 207. Notwithstanding any other provision of law (including any regulation and including the Public Works and Economic Development Act of 1965), the transfer of title to the Rutland City Industrial Complex to Hilinex, Vermont (as related to Economic Development Administration Project Number 01-11-01742) shall not require compensation to the Federal Government for the fair share of the Federal Government of that real property.

SEC. 208. (a) IN GENERAL.—The Secretary of Commerce, acting through the Assistant Secretary for Economic Development of the Department of Commerce, shall—

(1) not later than January 1, 1996, commence the demolition of the structures on, and the cleanup and environmental remediation on, the parcel of land described in subsection (b);

(2) not later than March 31, 1996, complete the demolition, cleanup, and environmental remediation under paragraph (1); and

(3) not later than April 1, 1996, convey the parcel of land described in subsection (b), in accordance with the requirements of section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)), to the Tuscaloosa County Industrial Development Authority, on receipt of payment of the fair market value for the parcel by the Authority, as agreed on by the Secretary and the Authority.

(b) LAND PARCEL.—The parcel of land referred to in subsection (a) is the parcel of land consisting of approximately 41 acres in Holt, Alabama (in Tuscaloosa County), that is generally known as the "Central Foundry Property", as depicted on a map, and as described in a legal description, that the Secretary, acting through the Assistant Secretary for Economic Development, determines to be satisfactory.

SEC. 209. Any costs incurred by a Department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title shall be absorbed within the total budgetary resources available to such Department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this provision is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 210. None of the funds appropriated under this Act or any other Act may be used to develop new fishery management plans, amendments or regulations which create new individual fishing quota, individual transferable quota,

or new individual transferable effort allocation programs, or to implement any such plans, amendments or regulations approved by a Regional Fishery Management Council or the Secretary of Commerce after January 4, 1995, until offsetting fees to pay for the cost of administering such plans, amendments or regulations are expressly authorized under the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.). This restriction shall not apply in any way to any such programs approved by the Secretary of Commerce prior to January 4, 1995.

SEC. 211. Section 308(d) of the Interjurisdictional Fisheries Act of 1986 (16 U.S.C. 4107(d)) is amended—

(1) in the heading, by striking "Grants" and inserting "Assistance";

(2) in paragraph (1), by striking "award grants to persons engaged in commercial fisheries, for uninsured losses determined by the Secretary to have been suffered" and inserting "help persons engaged in commercial fisheries, either by providing assistance directly to those persons or by providing assistance indirectly through States and local government agencies and nonprofit organizations, for projects or other measures to alleviate harm determined by the Secretary to have been incurred";

(3) in paragraph (3), by striking "a grant" and inserting "direct assistance to a person";

(4) in paragraph (3), by striking "gross revenues annually," and inserting "net revenues annually from commercial fishing";

(5) by striking paragraph (4) and inserting the following:

"(4)(A) Assistance may not be provided under this subsection as part of a fishing capacity reduction program in a fishery unless the Secretary determines that adequate conservation and management measures are in place in that fishery.

"(B) As a condition of awarding assistance with respect to a vessel under a fishing capacity reduction program, the Secretary shall—

"(i) prohibit the vessel from being used for fishing; and

"(ii) require that the vessel be—

"(I) scrapped or otherwise disposed of in a manner approved by the Secretary; or

"(II) donated to a nonprofit organization and thereafter used only for purposes of research, education, or training; or

"(III) used for another non-fishing purpose provided the Secretary determines that adequate measures are in place to ensure that the vessel cannot reenter any fishery.

"(C) A vessel that is prohibited from fishing under subparagraph (B) shall not be eligible for a fishery endorsement under section 12108(a) of title 46, United States Code, and any such endorsement for the vessel shall not be effective."; and

(6) in paragraph (5), by striking "for awarding grants" and all that follows through the end of the paragraph and inserting "for receiving assistance under this subsection.".

SEC. 212. The Secretary may award contracts for hydrographic, geodetic, and photogrammetric surveying and mapping services in accordance with Title IX of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 541 et seq.).

This title may be cited as the "Department of Commerce and Related Agencies Appropriations Act, 1996".

### TITLE III—THE JUDICIARY

#### SUPREME COURT OF THE UNITED STATES

##### SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance and operation of an automobile for the Chief Justice, not to exceed \$10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343

and 1344; not to exceed \$10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, \$25,834,000.

##### CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (40 U.S.C. 13a-13b), \$3,313,000, of which \$500,000 shall remain available until expended.

#### UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

##### SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, \$14,288,000.

#### UNITED STATES COURT OF APPEALS FOR THE TRADE

##### SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services as authorized by 5 U.S.C. 3109, and necessary expenses of the court, as authorized by law, \$10,859,000.

#### COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

##### SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, \$2,433,141,000 (including the purchase of firearms and ammunition); of which not to exceed \$13,454,000 shall remain available until expended for space alteration projects; of which not to exceed \$10,000,000 shall remain available until expended for furniture and furnishings related to new space alteration and construction projects; and of which \$500,000 is to remain available until expended for acquisition of books, periodicals, and newspapers, and all other legal reference materials, including subscriptions.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$2,318,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

##### VIOLENT CRIME REDUCTION PROGRAMS

For activities of the Federal Judiciary as authorized by law, \$30,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, as authorized by section 190001(a) of Public Law 103-322.

##### DEFENDER SERVICES

For the operation of Federal Public Defender and Community Defender organizations, the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964, as amended, the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act (18 U.S.C. 3006A(e)), the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel, the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences, and the compensation of attorneys appointed to represent jurors in civil actions for the protection of

their employment, as authorized by 28 U.S.C. 1875(d), \$267,217,000, to remain available until expended as authorized by 18 U.S.C. 3006A(i): Provided, That none of the funds provided in this Act shall be available for Death Penalty Resource Centers or Post-Conviction Defender Organizations after April 1, 1996.

##### FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)); \$59,028,000, to remain available until expended: Provided, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

##### COURT SECURITY

For necessary expenses, not otherwise provided for, incident to the procurement, installation, and maintenance of security equipment and protective services for the United States Courts in courtrooms and adjacent areas, including building ingress-egress control, inspection of packages, directed security patrols, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100-702); \$102,000,000, to be expended directly or transferred to the United States Marshals Service which shall be responsible for administering elements of the Judicial Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

#### ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

##### SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, \$47,500,000, of which not to exceed \$7,500 is authorized for official reception and representation expenses.

##### FEDERAL JUDICIAL CENTER

##### SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90-219, \$17,914,000; of which \$1,800,000 shall remain available through September 30, 1997, to provide education and training to Federal court personnel; and of which not to exceed \$1,000 is authorized for official reception and representation expenses.

##### JUDICIAL RETIREMENT FUNDS

##### PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), \$24,000,000, to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), \$7,000,000, and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), \$1,900,000.

#### UNITED STATES SENTENCING COMMISSION

##### SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, \$8,500,000, of which not to exceed \$1,000 is authorized for official reception and representation expenses.

##### GENERAL PROVISIONS—THE JUDICIARY

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Appropriations made in this title shall be available for salaries and expenses of the Special Court established under the Regional Rail Reorganization Act of 1973, Public Law 93-236.

SEC. 303. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except "Courts of Appeals, District Courts, and other Judicial Services, Defender Services", shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 304. Notwithstanding any other provision of law, the salaries and expenses appropriation for district courts, courts of appeals, and other judicial services shall be available for official reception and representation expenses of the Judicial Conference of the United States: Provided, That such available funds shall not exceed \$10,000 and shall be administered by the Director of the Administrative Office of the United States Courts in his capacity as Secretary of the Judicial Conference.

SEC. 305. Section 333 of title 28, United States Code, is amended—

(1) in the first paragraph by striking "shall" the first, second, and fourth place it appears and inserting "may"; and

(2) in the second paragraph—

(A) by striking "shall" the first place it appears and inserting "may"; and

(B) by striking ", and unless excused by the chief judge, shall remain throughout the conference".

This title may be cited as "The Judiciary Appropriations Act, 1996".

#### TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCIES

##### DEPARTMENT OF STATE

##### ADMINISTRATION OF FOREIGN AFFAIRS

##### DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including expenses authorized by the State Department Basic Authorities Act of 1956, as amended; representation to certain international organizations in which the United States participates pursuant to treaties, ratified pursuant to the advice and consent of the Senate, or specific Acts of Congress; acquisition by exchange or purchase of passenger motor vehicles as authorized by 31 U.S.C. 1343, 40 U.S.C. 481(c) and 22 U.S.C. 2674; and for expenses of general administration, \$1,708,800,000: Provided, That notwithstanding section 140(a)(5), and the second sentence of section 140(a)(3) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236), not to exceed \$125,000,000 of fees may be collected during fiscal year 1996 under the authority of section 140(a)(1) of that Act: Provided further, That all fees collected under the preceding proviso shall be deposited in fiscal year 1996 as an offsetting collection to appropriations made under this heading to recover the costs of providing consular services and shall remain available until expended: Provided further, That starting in fiscal year 1997, a system shall be in place that allocates to each department and agency the full cost of its presence outside of the United States.

Of the funds provided under this heading, \$24,856,000 shall be available only for the Diplomatic Telecommunications Service for operation of existing base services and not to exceed \$17,144,000 shall be available only for the enhancement of the Diplomatic Telecommunications Service and shall remain available until expended. Of the latter amount, \$2,500,000 shall not be made available until expiration of the 15 day period beginning on the date when the Secretary of State and the Director of the Diplomatic Telecommunications Service submit the pilot program report required by section 507 of Public Law 103-317.

In addition, not to exceed \$700,000 in registration fees collected pursuant to section 38 of the

Arms Export Control Act, as amended, may be used in accordance with section 45 of the State Department Basic Authorities Act of 1956, 22 U.S.C. 2717; and in addition not to exceed \$1,223,000 shall be derived from fees from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act (Public Law 90-553, as amended by section 120 of Public Law 101-246); and in addition not to exceed \$15,000 which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities in accordance with section 46 of the State of Department Basic Authorities Act of 1956 (22 U.S.C. 2718(a)).

Notwithstanding section 402 of this Act, not to exceed 20 percent of the amounts made available in this Act in the appropriation accounts, "Diplomatic and Consular Programs" and "Salaries and Expenses" under the heading "Administration of Foreign Affairs" may be transferred between such appropriation accounts: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

For an additional amount for security enhancements to counter the threat of terrorism, \$9,720,000, to remain available until expended.

##### SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of State and the Foreign Service, provided for by law, including expenses authorized by section 9 of the Act of August 31, 1964, as amended (31 U.S.C. 3721), and the State Department Basic Authorities Act of 1956, as amended, \$363,276,000.

For an additional amount for security enhancements to counter the threat of terrorism, \$1,870,000, to remain available until expended.

##### CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, \$16,400,000, to remain available until expended, as authorized in Public Law 103-236: Provided, That section 135(e) of Public Law 103-236 shall not apply to funds appropriated under this heading.

##### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App.), \$27,369,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (Public Law 96-465), as it relates to post inspections: Provided, That notwithstanding any other provision of law, (1) the Office of the Inspector General of the United States Information Agency is hereby merged with the Office of the Inspector General of the Department of State; (2) the functions exercised and assigned to the Office of the Inspector General of the United States Information Agency before the effective date of this Act (including all related functions) are transferred to the Office of the Inspector General of the Department of State; and (3) the Inspector General of the Department of State shall also serve as the Inspector General of the United States Information Agency.

##### REPRESENTATION ALLOWANCES

For representation allowances as authorized by section 905 of the Foreign Service Act of 1980, as amended (22 U.S.C. 4085), \$4,500,000.

##### PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services in accordance with the provisions of section 214 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4314) and 3 U.S.C. 208, \$8,579,000.

##### SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926, as amended (22 U.S.C. 292-300), and the Diplomatic Secu-

rity Construction Program as authorized by title IV of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4851), \$385,760,000, to remain available until expended as authorized by 22 U.S.C. 2696(c): Provided, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture and furnishings and generators for other departments and agencies.

##### EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service pursuant to the requirement of 31 U.S.C. 3526(e), \$6,000,000, to remain available until expended as authorized by 22 U.S.C. 2696(c), of which not to exceed \$1,000,000 may be transferred to and merged with the Repatriation Loans Program Account, subject to the same terms and conditions.

##### REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$593,000, as authorized by 22 U.S.C. 2671: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses necessary to carry out the direct loan program, \$183,000 which may be transferred to and merged with the Salaries and Expenses account under Administration of Foreign Affairs.

##### PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act, Public Law 96-8 (93 Stat. 14), \$15,165,000.

##### PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, \$125,402,000.

##### INTERNATIONAL ORGANIZATIONS AND CONFERENCES

##### CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, \$892,000,000: Provided, That any payment of arrearages shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: Provided further, That 20 percent of the funds appropriated in this paragraph for the assessed contribution of the United States to the United Nations shall be withheld from obligation and expenditure until a certification is made under section 401(b) of Public Law 103-236 for fiscal year 1996: Provided further, That certification under section 401(b) of Public Law 103-236 for fiscal year 1996 may only be made if the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and International Relations of the House of Representatives are notified of the steps taken, and anticipated, to meet the requirements of section 401(b) of Public Law 103-236 at least 15 days in advance of the proposed certification: Provided further, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings: Provided further, That of the funds appropriated in this paragraph, \$80,000,000 may be made available only on a quarterly basis and only after the Secretary of State certifies on a quarterly basis that the United Nations has taken no action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere

in the United Nations budget and cause the United Nations to exceed its no growth budget for the biennium 1996-1997 adopted in December, 1995.

#### CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, \$359,000,000: Provided, That none of the funds made available under this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least fifteen days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency, as far in advance as is practicable), (1) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate Committees of the Congress are notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; and (2) a reprogramming of funds pursuant to section 605 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: Provided further, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers.

#### INTERNATIONAL CONFERENCES AND CONTINGENCIES

For necessary expenses authorized by section 5 of the State Department Basic Authorities Act of 1956, in addition to funds otherwise available for these purposes, contributions for the United States share of general expenses of international organizations and conferences and representation to such organizations and conferences as provided for by 22 U.S.C. 2656 and 2672 and personal services without regard to civil service and classification laws as authorized by 5 U.S.C. 5102, \$3,000,000, to remain available until expended as authorized by 22 U.S.C. 2696(c), of which not to exceed \$200,000 may be expended for representation as authorized by 22 U.S.C. 4085.

#### INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

##### INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed \$6,000 for representation; as follows:

##### SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, \$12,058,000.

##### CONSTRUCTION

For detailed plan preparation and construction of authorized projects, \$6,644,000, to remain available until expended as authorized by 22 U.S.C. 2696(c).

##### AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103-182; \$5,800,000, of which not to exceed \$9,000 shall be available for representa-

tion expenses incurred by the International Joint Commission.

#### INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, \$14,669,000: Provided, That the United States share of such expenses may be advanced to the respective commissions, pursuant to 31 U.S.C. 3324.

#### OTHER

##### PAYMENT TO THE ASIA FOUNDATION

For a grant to the Asia Foundation, as authorized by section 501 of Public Law 101-246, \$5,000,000, to remain available until expended as authorized by 22 U.S.C. 2696(c).

#### RELATED AGENCIES

##### ARMS CONTROL AND DISARMAMENT AGENCY

##### ARMS CONTROL AND DISARMAMENT ACTIVITIES

For necessary expenses not otherwise provided, for arms control, nonproliferation, and disarmament activities, \$38,700,000, of which not to exceed \$50,000 shall be for official reception and representation expenses as authorized by the Act of September 26, 1961, as amended (22 U.S.C. 2551 et seq.).

##### UNITED STATES INFORMATION AGENCY

##### SALARIES AND EXPENSES

For expenses, not otherwise provided for, necessary to enable the United States Information Agency, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), the United States Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1431 et seq.) and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), to carry out international communication, educational and cultural activities; and to carry out related activities authorized by law, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed \$700,000 of this appropriation), as authorized by 22 U.S.C. 1471, and entertainment, including official receptions, within the United States, not to exceed \$25,000 as authorized by 22 U.S.C. 1474(3); \$445,645,000: Provided, That not to exceed \$1,400,000 may be used for representation abroad as authorized by 22 U.S.C. 1452 and 4085: Provided further, That not to exceed \$7,615,000 to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching, library, motion pictures, and publication programs as authorized by section 810 of the United States Information and Educational Exchange Act of 1948, as amended: Provided further, That not to exceed \$1,700,000 to remain available until expended may be used to carry out projects involving security construction and related improvements for agency facilities not physically located together with Department of State facilities abroad.

##### TECHNOLOGY FUND

For expenses necessary to enable the United States Information Agency to provide for the procurement of information technology improvements, as authorized by the United States Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1431 et seq.), the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), \$5,050,000, to remain available until expended.

##### EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), \$200,000,000, to remain available until expended as authorized by 22 U.S.C. 2455:

##### EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as author-

ized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204-05), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 1996, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A-110 (Uniform Administrative Requirements) and A-122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

##### ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 1996, to remain available until expended.

##### AMERICAN STUDIES COLLECTIONS ENDOWMENT FUND

For necessary expenses of American Studies Collections as authorized by section 235 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, all interest and earnings accruing to the American Studies Collections Endowment Fund on or before September 30, 1996, to remain available until expended.

##### INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the United States Information Agency, as authorized by the United States Information and Educational Exchange Act of 1948, as amended, the United States International Broadcasting Act of 1994, as amended, and Reorganization Plan No. 2 of 1977, to carry out international communication activities; \$325,191,000, of which \$5,000,000 shall remain available until expended, not to exceed \$16,000 may be used for official receptions within the United States as authorized by 22 U.S.C. 1474(3), not to exceed \$35,000 may be used for representation abroad as authorized by 22 U.S.C. 1452 and 4085, and not to exceed \$39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, not to exceed \$250,000 from fees as authorized by section 810 of the United States Information and Educational Exchange Act of 1948, as amended, to remain available until expended for carrying out authorized purposes; and in addition, notwithstanding any other provision of law, not to exceed \$1,000,000 in monies received (including receipts from advertising, if any) by or for the use of the United States Information Agency from or in connection with broadcasting resources owned by or on behalf of the Agency, to be available until expended for carrying out authorized purposes.

##### BROADCASTING TO CUBA

For expenses necessary to enable the United States Information Agency to carry out the Radio Broadcasting to Cuba Act, as amended, the Television Broadcasting to Cuba Act, and the International Broadcasting Act of 1994, including the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception, \$24,809,000 to remain available until expended: Provided, That not later than April 1, 1996, the headquarters of the Office of Cuba Broadcasting shall be relocated from Washington, D.C. to south Florida, and that any funds available under the headings "International Broadcasting Operations", "Broadcasting to Cuba", and "Radio Construction" may be available to carry out this relocation.

##### RADIO CONSTRUCTION

For an additional amount for the purchase, rent, construction, and improvement of facilities

for radio transmission and reception and purchase and installation of necessary equipment for radio and television transmission and reception as authorized by 22 U.S.C. 1471, \$40,000,000, to remain available until expended as authorized by 22 U.S.C. 1477b(a).

#### EAST-WEST CENTER

To enable the Director of the United States Information Agency to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960 (22 U.S.C. 2054-2057), by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, \$11,750,000: Provided, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

#### NORTH/SOUTH CENTER

To enable the Director of the United States Information Agency to provide for carrying out the provisions of the North/South Center Act of 1991 (22 U.S.C. 2075), by grant to an educational institution in Florida known as the North/South Center, \$2,000,000, to remain available until expended.

#### NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the United States Information Agency to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, \$30,000,000, to remain available until expended.

#### GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCIES

SEC. 401. Funds appropriated under this title shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of 5 U.S.C.; for services as authorized by 5 U.S.C. 3109; and hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the United States Information Agency in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided further, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. Funds appropriated or otherwise made available under this Act or any other Act may be expended for compensation of the United States Commissioner of the International Boundary Commission, United States and Canada, only for actual hours worked by such Commissioner.

SEC. 404. (a) No later than 90 days after enactment of legislation consolidating, reorganizing or downsizing the functions of the Department of State, the United States Information Agency, and the Arms Control and Disarmament Agency, the Secretary of State, the Director of the United States Information Agency and the Director of the Arms Control and Disarmament Agency shall submit to the Committees on Appropriations of the House and the Senate a proposal for transferring or rescinding funds appropriated herein for functions that are consolidated, reorganized or downsized under such legislation: Provided, That such plan shall be transmitted in accordance with section 605 of this Act.

(b) The Secretary of State, the Director of the United States Information Agency, and the Di-

rector of the Arms Control and Disarmament Agency, as appropriate, may use any available funds to cover the costs of actions to consolidate, reorganize or downsize the functions under their authority required by such legislation, and of any related personnel action, including voluntary separation incentives if authorized by such legislation: Provided, That the authority to transfer funds between appropriations accounts that may be necessary to carry out this section is provided in addition to authorities included under section 402 of this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 405. Funds appropriated by this Act for the United States Information Agency, the Arms Control and Disarmament Agency, and the Department of State may be obligated and expended notwithstanding section 701 of the United States Information and Educational Exchange Act of 1948 and section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, section 53 of the Arms Control and Disarmament Act, and section 15 of the State Department Basic Authorities Act of 1956.

SEC. 406. Section 36(a)(1) of the State Department Authorities Act of 1956, as amended (22 U.S.C. 2708), is amended to delete "may pay a reward" and insert in lieu thereof "shall establish and publicize a program under which rewards may be paid".

SEC. 407. Sections 6(a) and 6(b) of Public Law 101-454 are repealed. In addition, notwithstanding any other provision of law, Eisenhower Exchange Fellowships, Incorporated, may use one-third of any earned but unused trust income from the period 1992 through 1995 for Fellowship purposes in each of fiscal years 1996 through 1998.

SEC. 408. It is the sense of the Senate that none of the funds appropriated or otherwise made available pursuant to this Act should be used for the deployment of combat-equipped forces of the Armed Forces of the United States for any ground operations in Bosnia and Herzegovina unless—

(1) Congress approves in advance the deployment of such forces of the Armed Forces; or

(2) the temporary deployment of such forces of the Armed Forces of the United States into Bosnia and Herzegovina is necessary to evacuate United Nations peacekeeping forces from a situation of imminent danger, to undertake emergency air rescue operations, or to provide for the airborne delivery of humanitarian supplies, and the President reports as soon as practicable to Congress after the initiation of the temporary deployment, but in no case later than 48 hours after the initiation of the deployment.

SEC. 409. Any costs incurred by a Department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title shall be absorbed within the total budgetary resources available to such Department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this provision is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 410. Section 235 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101-246) is amended by inserting "Tinian," after "Sao Tome,".

SEC. 411. The appropriation for the Arms Control and Disarmament Agency in Public Law 103-317 (108 Stat. 1768) is amended by deleting after "until expended" the following: "only for activities related to the implementation of the

Chemical Weapons Convention": Provided, That amounts made available shall not be used to undertake new programs or to increase employment above levels on board at the time of enactment of this Act.

This title may be cited as the "Department of State and Related Agencies Appropriations Act, 1996".

#### TITLE V—RELATED AGENCIES

##### DEPARTMENT OF TRANSPORTATION

##### MARITIME ADMINISTRATION

##### OPERATING-DIFFERENTIAL SUBSIDIES

##### (LIQUIDATION OF CONTRACT AUTHORITY)

For the payment of obligations incurred for operating-differential subsidies as authorized by the Merchant Marine Act, 1936, as amended, \$162,610,000, to remain available until expended.

##### MARITIME NATIONAL SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States as determined by the Secretary of Defense in consultation with the Secretary of Transportation, \$46,000,000, to remain available until expended: Provided, That these funds will be available only upon enactment of an authorization for this program.

##### OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$66,600,000, to remain available until expended: Provided, That notwithstanding any other provision of law, the Secretary of Transportation may use proceeds derived from the sale or disposal of National Defense Reserve Fleet vessels that are currently collected and retained by the Maritime Administration, to be used for facility and ship maintenance, modernization and repair, conversion, acquisition of equipment, and fuel costs necessary to maintain training at the United States Merchant Marine Academy and State maritime academies and may be transferred to the Secretary of the Interior for use as provided in the National Maritime Heritage Act (Public Law 103-451): Provided further, That reimbursements may be made to this appropriation from receipts to the "Federal Ship Financing Fund" for administrative expenses in support of that program in addition to any amount heretofore appropriated.

##### MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by the Merchant Marine Act of 1936, \$40,000,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$1,000,000,000.

In addition, for administrative expenses to carry out the guaranteed loan program, not to exceed \$3,500,000, which shall be transferred to and merged with the appropriation for Operations and Training.

##### ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefor shall be credited to the appropriation charged with the cost thereof: Provided, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936,

or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriation Act, and all receipts which otherwise would be deposited to the credit of said fund shall be covered into the Treasury as miscellaneous receipts.

COMMISSION FOR THE PRESERVATION OF  
AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For expenses for the Commission for the Preservation of America's Heritage Abroad, \$206,000, as authorized by Public Law 99-83, section 1303.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$8,750,000: Provided, That not to exceed \$50,000 may be used to employ consultants: Provided further, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: Provided further, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the Chairperson who is permitted 125 billable days.

COMMISSION ON IMMIGRATION REFORM

SALARIES AND EXPENSES

For necessary expenses of the Commission on Immigration Reform pursuant to section 141(f) of the Immigration Act of 1990, \$1,894,000, to remain available until expended.

COMMISSION ON SECURITY AND COOPERATION IN  
EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94-304, \$1,090,000, to remain available until expended as authorized by section 3 of Public Law 99-7.

COMPETITIVENESS POLICY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the Competitiveness Policy Council, \$50,000: Provided, That this shall be the final Federal payment to the Competitiveness Policy Council.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, as amended (29 U.S.C. 206(d) and 621-634), the Americans with Disabilities Act of 1990 and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); nonmonetary awards to private citizens; not to exceed \$26,500,000, for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991; \$233,000,000: Provided, That the Commission is authorized to make available for official reception and representation expenses not to exceed \$2,500 from available funds.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901-02; not to exceed \$600,000 for land and structure; not to exceed \$500,000 for improvement and care of grounds and repair to buildings; not to exceed \$4,000 for official reception and representation expenses; purchase (not to exceed sixteen) and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109; \$185,709,000, of

which not to exceed \$300,000 shall remain available until September 30, 1997, for research and policy studies: Provided, That \$126,400,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, as amended, and shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 1996 so as to result in a final fiscal year 1996 appropriation estimated at \$59,309,000: Provided further, That any offsetting collections received in excess of \$126,400,000 in fiscal year 1996 shall remain available until expended, but shall not be available for obligation until October 1, 1996: Provided further, That the Commission shall amend its schedule of regulatory fees set forth in section 1.1153 of title 47, CFR, authorized by section 9 of title I of the Communications Act of 1934, as amended by: (1) striking "\$22,420" in the Annual Regulatory Fee column for VHF Commercial Markets 1 through 10 and inserting "\$32,000"; (2) striking "\$19,925" in the Annual Regulatory Fee column for VHF Commercial Markets 11 through 25 and inserting "\$26,000"; (3) striking "\$14,950" in the Annual Regulatory Fee column for VHF Commercial Markets 26 through 50 and inserting "\$17,000"; (4) striking "\$9,975" in the Annual Regulatory Fee column for VHF Commercial Markets 51 through 100 and inserting "\$9,000"; (5) striking "\$6,225" in the Annual Regulatory Fee column for VHF Commercial Remaining Markets and inserting "\$2,500"; and (6) striking "\$17,925" in the Annual Regulatory Fee column for UHF Commercial Markets 1 through 10 and inserting "\$25,000"; (7) striking "\$15,950" in the Annual Regulatory Fee column for UHF Commercial Markets 11 through 25 and inserting "\$20,000"; (8) striking "\$11,950" in the Annual Regulatory Fee column for UHF Commercial Markets 26 through 50 and inserting "\$13,000"; (9) striking "\$7,975" in the Annual Regulatory Fee column for UHF Commercial Markets 51 through 100 and inserting "\$7,000"; and (10) striking "\$4,975" in the Annual Regulatory Fee column for UHF Commercial Remaining Markets and inserting "\$2,000": Provided further, That the Federal Communications Commission shall, not later than 30 days after receipt of a petition by WQED, Pittsburgh, determine, without conducting a rulemaking or other proceeding, whether to amend section 73.606 of Title 47, Code of Federal Regulations, by deleting the asterisk for the channel operating on 482-488 MHz in Pittsburgh, Pennsylvania, based on the public interest, the existing common ownership of two non-commercial broadcasting stations in Pittsburgh, the financial distress of the licensee, and the threat to the public of losing or impairing local public broadcasting service in the area: Provided further, That the Federal Communications Commission may solicit such comments as it deems necessary in making this determination: Provided further, That part of the determination, the Federal Communications Commission shall not be required, notwithstanding any other provision of law, to open the channel to general application, and may determine that the license therefor may be assigned by the licensee, subject to prompt approval of the proposed assignee by the Federal Communications Commission, and that the proceeds of the initial assignment of the license for such channel, or any portion thereof, shall be used solely in furtherance of noncommercial broadcast operations, or for such other purpose as the Federal Communications Commission may determine appropriate.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act of 1936, as amended (46 App. U.S.C. 1111), including services as au-

thorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-02; \$14,855,000: Provided, That not to exceed \$2,000 shall be available for official reception and representation expenses.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed \$2,000 for official reception and representation expenses; \$79,568,000: Provided, That not to exceed \$300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718, as amended: Provided further, That notwithstanding any other provision of law, not to exceed \$48,262,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18(a)) shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the General Fund shall be reduced as such offsetting collections are received during fiscal year 1996, so as to result in a final fiscal year 1996 appropriation from the General Fund estimated at not more than \$31,306,000, to remain available until expended: Provided further, That any fees received in excess of \$48,262,000 in fiscal year 1996 shall remain available until expended, but shall not be available for obligation until October 1, 1996: Provided further, That none of the funds made available to the Federal Trade Commission shall be available for obligation for expenses authorized by section 151 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (Public Law 102-242, 105 Stat. 2282-2285).

JAPAN-UNITED STATES FRIENDSHIP COMMISSION

JAPAN-UNITED STATES FRIENDSHIP TRUST FUND

For expenses of the Japan-United States Friendship Commission, as authorized by Public Law 94-118, as amended, from the interest earned on the Japan-United States Friendship Trust Fund, \$1,247,000; and an amount of Japanese currency not to exceed the equivalent of \$1,420,000 based on exchange rates at the time of payment of such amounts as authorized by Public Law 94-118.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, \$278,000,000, of which \$269,400,000 is for basic field programs and required independent audits carried out in accordance with section 509; \$1,500,000 is for the Office of the Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients in accordance with section 509 of this Act; and \$7,100,000 is for management and administration: Provided, That \$198,750,000 of the total amount provided under this heading for basic field programs shall not be available except for the competitive award of grants and contracts under section 503 of this Act.

ADMINISTRATIVE PROVISIONS—LEGAL SERVICES  
CORPORATION

SEC. 501. (a) Funds appropriated under this Act to the Legal Services Corporation for basic field programs shall be distributed as follows:

(1) The Corporation shall define geographic areas and make the funds available for each geographic area on a per capita basis relative to the number of individuals in poverty determined by the Bureau of the Census to be within the geographic area, except as provided in paragraph (2)(B). Funds for such a geographic area may be



distributed by the Corporation to 1 or more persons or entities eligible for funding under section 1006(a)(1)(A) of the Legal Services Corporation Act (42 U.S.C. 2996e(a)(1)(A)), subject to sections 502 and 504.

(2) Funds for grants from the Corporation, and contracts entered into by the Corporation for basic field programs, shall be allocated so as to provide—

(A) except as provided in subparagraph (B), an equal figure per individual in poverty for all geographic areas, as determined on the basis of the most recent decennial census of population conducted pursuant to section 141 of title 13, United States Code (or, in the case of the Republic of Palau, the Federated States of Micronesia, the Republic of the Marshall Islands, Alaska, Hawaii, and the United States Virgin Islands, on the basis of the adjusted population counts historically used as the basis for such determinations); and

(B) an additional amount for Native American communities that received assistance under the Legal Services Corporation Act for fiscal year 1995, so that the proportion of the funds appropriated to the Legal Services Corporation for basic field programs for fiscal year 1996 that is received by the Native American communities shall be not less than the proportion of such funds appropriated for fiscal year 1995 that was received by the Native American communities.

(b) As used in this section:

(1) The term "individual in poverty" means an individual who is a member of a family (of 1 or more members) with an income at or below the poverty line.

(2) The term "poverty line" means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

SEC. 502. None of the funds appropriated in this Act to the Legal Services Corporation shall be used by the Corporation to make a grant, or enter into a contract, for the provision of legal assistance unless the Corporation ensures that the person or entity receiving funding to provide such legal assistance is—

(1) a private attorney admitted to practice in a State or the District of Columbia;

(2) a qualified nonprofit organization, chartered under the laws of a State or the District of Columbia, that—

(A) furnishes legal assistance to eligible clients; and

(B) is governed by a board of directors or other governing body, the majority of which is comprised of attorneys who—

(i) are admitted to practice in a State or the District of Columbia; and

(ii) are appointed to terms of office on such board or body by the governing body of a State, county, or municipal bar association, the membership of which represents a majority of the attorneys practicing law in the locality in which the organization is to provide legal assistance;

(3) a State or local government (without regard to section 1006(a)(1)(A)(ii) of the Legal Services Corporation Act (42 U.S.C. 2996e(a)(1)(A)(ii))); or

(4) a substate regional planning or coordination agency that serves a substate area and whose governing board is controlled by locally elected officials.

SEC. 503. (a)(1) Not later than April 1, 1996, the Legal Services Corporation shall implement a system of competitive awards of grants and contracts for all basic field programs, which shall apply to all such grants and contracts awarded by the Corporation after March 31, 1996, from funds appropriated in this Act.

(2) Any grant or contract awarded before April 1, 1996, by the Legal Services Corporation to a basic field program for 1996—

(A) shall not be for an amount greater than the amount required for the period ending March 31, 1996;

(B) shall terminate at the end of such period; and

(C) shall not be renewable except in accordance with the system implemented under paragraph (1).

(3) The amount of grants and contracts awarded before April 1, 1996, by the Legal Services Corporation for basic field programs for 1996 in any geographic area described in section 501 shall not exceed an amount equal to  $\frac{3}{4}$  of the total amount to be distributed for such programs for 1996 in such area.

(b) Not later than 60 days after the date of enactment of this Act, the Legal Services Corporation shall promulgate regulations to implement a competitive selection process for the recipients of such grants and contracts.

(c) Such regulations shall specify selection criteria for the recipients, which shall include—

(1) a demonstration of a full understanding of the basic legal needs of the eligible clients to be served and a demonstration of the capability of serving the needs;

(2) the quality, feasibility, and cost effectiveness of a plan submitted by an applicant for the delivery of legal assistance to the eligible clients to be served; and

(3) the experience of the Legal Services Corporation with the applicant, if the applicant has previously received financial assistance from the Corporation, including the record of the applicant of past compliance with Corporation policies, practices, and restrictions.

(d) Such regulations shall ensure that timely notice regarding an opportunity to submit an application for such an award is published in periodicals of local and State bar associations and in at least 1 daily newspaper of general circulation in the area to be served by the person or entity receiving the award.

(e) No person or entity that was previously awarded a grant or contract by the Legal Services Corporation for the provision of legal assistance may be given any preference in the competitive selection process.

(f) For the purposes of the funding provided in this Act, rights under sections 1007(a)(9) and 1011 of the Legal Services Corporation Act (42 U.S.C. 2996f(a)(9) and 42 U.S.C. 2996j) shall not apply.

SEC. 504. (a) None of the funds appropriated in this Act to the Legal Services Corporation may be used to provide financial assistance to any person or entity (which may be referred to in this section as a "recipient")—

(1) that makes available any funds, personnel, or equipment for use in advocating or opposing any plan or proposal, or represents any party or participates in any other way in litigation, that is intended to or has the effect of altering, revising, or reappportioning a legislative, judicial, or elective district at any level of government, including influencing the timing or manner of the taking of a census;

(2) that attempts to influence the issuance, amendment, or revocation of any executive order, regulation, or other statement of general applicability and future effect by any Federal, State, or local agency;

(3) that attempts to influence any part of any adjudicatory proceeding of any Federal, State, or local agency if such part of the proceeding is designed for the formulation or modification of any agency policy of general applicability and future effect;

(4) that attempts to influence the passage or defeat of any legislation, constitutional amendment, referendum, initiative, or any similar procedure of the Congress or a State or local legislative body;

(5) that attempts to influence the conduct of oversight proceedings of the Corporation or any person or entity receiving financial assistance provided by the Corporation;

(6) that pays for any personal service, advertisement, telegram, telephone communication, letter, printed or written matter, administrative expense, or related expense, associated with an activity prohibited in this section;

(7) that initiates or participates in a class action suit;

(8) that files a complaint or otherwise initiates or participates in litigation against a defendant, or engages in a precomplaint settlement negotiation with a prospective defendant, unless—

(A) each plaintiff has been specifically identified, by name, in any complaint filed for purposes of such litigation or prior to the precomplaint settlement negotiation; and

(B) a statement or statements of facts written in English and, if necessary, in a language that the plaintiffs understand, that enumerate the particular facts known to the plaintiffs on which the complaint is based, have been signed by the plaintiffs, are kept on file by the recipient, and are made available to any Federal department or agency that is auditing or monitoring the activities of the Corporation or of the recipient, and to any auditor or monitor receiving Federal funds to conduct such auditing or monitoring, including any auditor or monitor of the Corporation:

Provided, That upon establishment of reasonable cause that an injunction is necessary to prevent probable, serious harm to such potential plaintiff, a court of competent jurisdiction may enjoin the disclosure of the identity of any potential plaintiff pending the outcome of such litigation or negotiations after notice and an opportunity for a hearing is provided to potential parties to the litigation or the negotiations: Provided further, That other parties to the litigation or negotiation shall have access to the statement of facts referred to in subparagraph (B) only through the discovery process after litigation has begun;

(9) unless—

(A) prior to the provision of financial assistance—

(i) if the person or entity is a nonprofit organization, the governing board of the person or entity has set specific priorities in writing, pursuant to section 1007(a)(2)(C)(i) of the Legal Services Corporation Act (42 U.S.C. 2996f(a)(2)(C)(i)), of the types of matters and cases to which the staff of the nonprofit organization shall devote time and resources; and

(ii) the staff of such person or entity has signed a written agreement not to undertake cases or matters other than in accordance with the specific priorities set by such governing board, except in emergency situations defined by such board and in accordance with the written procedures of such board for such situations; and

(B) the staff of such person or entity provides to the governing board on a quarterly basis, and to the Corporation on an annual basis, information on all cases or matters undertaken other than cases or matters undertaken in accordance with such priorities;

(10) unless—

(A) prior to receiving the financial assistance, such person or entity agrees to maintain records of time spent on each case or matter with respect to which the person or entity is engaged;

(B) any funds, including Interest on Lawyers Trust Account Funds, received from a source other than the Corporation by the person or entity, and disbursements of such funds, are accounted for and reported as receipts and disbursements, respectively, separate and distinct from Corporation funds; and

(C) the person or entity agrees (notwithstanding section 1006(b)(3) of the Legal Services Corporation Act (42 U.S.C. 2996e(b)(3)) to make the records described in this paragraph available to any Federal department or agency that is auditing or monitoring the activities of the Corporation or of the recipient, and to any independent auditor or monitor receiving Federal funds to conduct such auditing or monitoring, including any auditor or monitor of the Corporation;

(11) that provides legal assistance for or on behalf of any alien, unless the alien is present in the United States and is—



(A) an alien lawfully admitted for permanent residence as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20));

(B) an alien who—

(i) is married to a United States citizen or is a parent or an unmarried child under the age of 21 years of such a citizen; and

(ii) has filed an application to adjust the status of the alien to the status of a lawful permanent resident under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), which application has not been rejected;

(C) an alien who is lawfully present in the United States pursuant to an admission under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) (relating to refugee admission) or who has been granted asylum by the Attorney General under such Act;

(D) an alien who is lawfully present in the United States as a result of withholding of deportation by the Attorney General pursuant to section 243(h) of the Immigration and Nationality Act (8 U.S.C. 1253(h));

(E) an alien to whom section 305 of the Immigration Reform and Control Act of 1986 (8 U.S.C. 1101 note) applies, but only to the extent that the legal assistance provided is the legal assistance described in such section; or

(F) an alien who is lawfully present in the United States as a result of being granted conditional entry to the United States before April 1, 1980, pursuant to section 203(a)(7) of the Immigration and Nationality Act (8 U.S.C. 1153(a)(7)), as in effect on March 31, 1980, because of persecution or fear of persecution on account of race, religion, or political calamity;

(12) that supports or conducts a training program for the purpose of advocating a particular public policy or encouraging a political activity, a labor or antilabor activity, a boycott, picketing, a strike, or a demonstration, including the dissemination of information about such a policy or activity, except that this paragraph shall not be construed to prohibit the provision of training to an attorney or a paralegal to prepare the attorney or paralegal to provide—

(A) adequate legal assistance to eligible clients; or

(B) advice to any eligible client as to the legal rights of the client;

(13) that claims (or whose employee claims), or collects and retains, attorneys' fees pursuant to any Federal or State law permitting or requiring the awarding of such fees;

(14) that participates in any litigation with respect to abortion;

(15) that participates in any litigation on behalf of a person incarcerated in a Federal, State, or local prison;

(16) that initiates legal representation or participates in any other way, in litigation, lobbying, or rulemaking, involving an effort to reform a Federal or State welfare system, except that this paragraph shall not be construed to preclude a recipient from representing an individual eligible client who is seeking specific relief from a welfare agency if such relief does not involve an effort to amend or otherwise challenge existing law in effect on the date of the initiation of the representation;

(17) that defends a person in a proceeding to evict the person from a public housing project if—

(A) the person has been charged with the illegal sale or distribution of a controlled substance; and

(B) the eviction proceeding is brought by a public housing agency because the illegal drug activity of the person threatens the health or safety of another tenant residing in the public housing project or employee of the public housing agency;

(18) unless such person or entity agrees that the person or entity, and the employees of the person or entity, will not accept employment resulting from in-person unsolicited advice to a nonattorney that such nonattorney should ob-

tain counsel or take legal action, and will not refer such nonattorney to another person or entity or an employee of the person or entity, that is receiving financial assistance provided by the Corporation; or

(19) unless such person or entity enters into a contractual agreement to be subject to all provisions of Federal law relating to the proper use of Federal funds, the violation of which shall render any grant or contractual agreement to provide funding null and void, and, for such purposes, the Corporation shall be considered to be a Federal agency and all funds provided by the Corporation shall be considered to be Federal funds provided by grant or contract.

(b) Nothing in this section shall be construed to prohibit a recipient from using funds from a source other than the Legal Services Corporation for the purpose of contacting, communicating with, or responding to a request from, a State or local government agency, a State or local legislative body or committee, or a member thereof, regarding funding for the recipient, including a pending or proposed legislative or agency proposal to fund such recipient.

(c) Not later than 30 days after the date of enactment of this Act, the Legal Services Corporation shall promulgate a suggested list of priorities that boards of directors may use in setting priorities under subsection (a)(9).

(d)(1) The Legal Services Corporation shall not accept any non-Federal funds, and no recipient shall accept funds from any source other than the Corporation, unless the Corporation or the recipient, as the case may be, notifies in writing the source of the funds that the funds may not be expended for any purpose prohibited by the Legal Services Corporation Act or this title.

(2) Paragraph (1) shall not prevent a recipient from—

(A) receiving Indian tribal funds (including funds from private nonprofit organizations for the benefit of Indians or Indian tribes) and expending the tribal funds in accordance with the specific purposes for which the tribal funds are provided; or

(B) using funds received from a source other than the Legal Services Corporation to provide legal assistance to a covered individual if such funds are used for the specific purposes for which such funds were received, except that such funds may not be expended by recipients for any purpose prohibited by this Act or by the Legal Services Corporation Act.

(e) Nothing in this section shall be construed to prohibit a recipient from using funds derived from a source other than the Legal Services Corporation to comment on public rulemaking or to respond to a written request for information or testimony from a Federal, State or local agency, legislative body or committee, or a member of such an agency, body, or committee, so long as the response is made only to the parties that make the request and the recipient does not arrange for the request to be made.

(f) As used in this section:

(1) The term "controlled substance" has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) The term "covered individual" means any person who—

(A) except as provided in subparagraph (B), meets the requirements of this Act and the Legal Services Corporation Act relating to eligibility for legal assistance; and

(B) may or may not be financially unable to afford legal assistance.

(3) The term "public housing project" has the meaning as used within, and the term "public housing agency" has the meaning given the term, in section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a).

SEC. 505. None of the funds appropriated in this Act to the Legal Services Corporation or provided by the Corporation to any entity or person may be used to pay membership dues to any private or nonprofit organization.

SEC. 506. None of the funds appropriated in this Act to the Legal Services Corporation may be used by any person or entity receiving financial assistance from the Corporation to file or pursue a lawsuit against the Corporation.

SEC. 507. None of the funds appropriated in this Act to the Legal Services Corporation may be used for any purpose prohibited or contrary to any of the provisions of authorization legislation for fiscal year 1996 for the Legal Services Corporation that is enacted into law. Upon the enactment of such Legal Services Corporation reauthorization legislation, funding provided in this Act shall from that date be subject to the provisions of that legislation and any provisions in this Act that are inconsistent with that legislation shall no longer have effect.

SEC. 508. (a) The requirements of section 504 shall apply to the activities of a recipient described in section 504, or an employee of such a recipient, during the provision of legal assistance for a case or matter, if the recipient or employee begins to provide the legal assistance on or after the date of enactment of this Act.

(b) If the recipient or employee began to provide legal assistance for the case or matter prior to the date of enactment of this Act—

(1) each of the requirements of section 504 (other than paragraphs (7), (11), (13), and (15) of subsection (a) of such section) shall, beginning on the date of enactment of this Act, apply to the activities of the recipient or employee during the provision of legal assistance for the case or matter;

(2) the requirements of paragraphs (7), (11), and (15) of section 504(a) shall apply—

(A) beginning on the date of enactment of this Act, to the activities of the recipient or employee during the provision of legal assistance for any additional related claim for which the recipient or employee begins to provide legal assistance on or after such date; and

(B) beginning August 1, 1996, to all other activities of the recipient or employee during the provision of legal assistance for the case or matter; and

(3) the requirements of paragraph (13) of section 504(a)—

(A) shall apply beginning on the date of enactment of this Act to the activities of the recipient or employee during the provision of legal assistance for any additional related claim for which the recipient or employee begins to provide legal assistance on or after such date; and

(B) shall not apply to all other activities of the recipient or employee during the provision of legal assistance for the case or matter.

(c) The Legal Services Corporation shall, every 60 days, submit to the Committees on Appropriations of the Senate and House of Representatives a report setting forth the status of cases and matters referred to in subsection (b)(2).

SEC. 509. (a) An audit of each person or entity receiving financial assistance from the Legal Services Corporation under this Act (referred to in this section as a "recipient") shall be conducted in accordance with generally accepted government auditing standards and guidance established by the Office of the Inspector General and shall report whether—

(1) the financial statements of the recipient present fairly its financial position and the results of its financial operations in accordance with generally accepted accounting principles;

(2) the recipient has internal control systems to provide reasonable assurance that it is managing funds, regardless of source, in compliance with Federal laws and regulations; and

(3) the recipient has complied with Federal laws and regulations applicable to funds received, regardless of source.

(b) In carrying out the requirements of subsection (a)(3), the auditor shall select and test a representative number of transactions and report all instances of noncompliance to the recipient. The recipient shall report in writing any noncompliance found by the auditor during the

audit under this section within 5 business days to the Office of the Inspector General and shall provide a copy of the report simultaneously to the auditor. If the recipient fails to report the noncompliance, the auditor shall report the noncompliance directly to the Office of the Inspector General within 5 business days of the recipient's failure to report. The auditor shall not be liable in a private action for any finding, conclusion, or statement expressed in a report made pursuant to this section.

(c) The audits required under this section shall be provided for by the recipients and performed by independent public accountants. The cost of such audits shall be shared on a pro rata basis among all of the recipient's funding providers and the appropriate share shall be an allowable charge to the Federal funds provided by the Legal Services Corporation. No audit costs may be charged to the Federal funds when the audit required by this section has not been made in accordance with the guidance promulgated by the Office of the Inspector General.

If the recipient fails to have an acceptable audit in accordance with the guidance promulgated by the Office of the Inspector General, the following sanctions shall be available to the Corporation as recommended by the Office of the Inspector General:

(1) the withholding of a percentage of the recipient's funding until the audit is completed satisfactorily.

(2) the suspension of recipient's funding until an acceptable audit is completed.

(d) The Office of the Inspector General may remove, suspend, or bar an independent public accountant, upon a showing of good cause, from performing audit services required by this section. Any such action to remove, suspend, or bar an auditor shall be only after notice to the auditor and an opportunity for hearing. The Office of the Inspector General shall develop and issue rules of practice to implement this paragraph.

(e) Any independent public accountant performing an audit under this section who subsequently ceases to be the accountant for the recipient shall promptly notify the Office of the Inspector General pursuant to such rules as the Office of the Inspector General shall prescribe.

(f) Audits conducted in accordance with this section shall be in lieu of the financial audits otherwise required by section 1009(c) of the Legal Services Corporation Act (42 U.S.C. 2996h(c)).

(g) The Office of the Inspector General is authorized to conduct on-site monitoring, audits, and inspections in accordance with Federal standards.

(h) Notwithstanding section 1006(b)(3) of the Legal Services Corporation Act (42 U.S.C. 2996e(b)(3)), financial records, time records, retainer agreements, client trust fund and eligibility records, and client names, for each recipient shall be made available to any auditor or monitor of the recipient, including any Federal department or agency that is auditing or monitoring the activities of the Corporation or of the recipient, and any independent auditor or monitor receiving Federal funds to conduct such auditing or monitoring, including any auditor or monitor of the Corporation, except for reports or records subject to the attorney-client privilege.

(i) The Legal Services Corporation shall not disclose any name or document referred to in subsection (h), except to—

(1) a Federal, State, or local law enforcement official; or

(2) an official of an appropriate bar association for the purpose of enabling the official to conduct an investigation of a rule of professional conduct.

(j) The recipient management shall be responsible for expeditiously resolving all reported audit reportable conditions, findings, and recommendations, including those of sub-recipients.

(k) The Legal Services Corporation shall—

(1) Follow up on significant reportable conditions, findings, and recommendations found by

the independent public accountants and reported to Corporation management by the Office of the Inspector General to ensure that instances of deficiencies and noncompliance are resolved in a timely manner; and

(2) Develop procedures to ensure effective follow-up that meet at a minimum the requirements of Office of Management and Budget Circular Number A-50.

(l) The requirements of this section shall apply to a recipient for its first fiscal year beginning on or after January 1, 1996.

#### MARINE MAMMAL COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92-522, as amended, \$1,190,000.

#### MARTIN LUTHER KING, JR. FEDERAL HOLIDAY COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses of the Martin Luther King, Jr. Federal Holiday Commission, as authorized by Public Law 98-399, as amended, \$350,000: Provided, That this shall be the final Federal payment to the Martin Luther King, Jr. Federal Holiday Commission for operations and necessary closing costs.

#### OUNCE OF PREVENTION COUNCIL

For activities authorized by sections 30101 and 30102 of Public Law 103-322 (including administrative costs), \$1,500,000, to remain available until expended, for the Ounce of Prevention Grant Program: Provided, That the Council may accept and use gifts and donations, both real and personal, for the purpose of aiding or facilitating the authorized activities of the Council, of which not to exceed \$5,000 may be used for official reception and representation expenses.

#### SECURITIES AND EXCHANGE COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed \$3,000 for official reception and representation expenses, \$287,738,000, of which \$3,000,000 is for the Office of Economic Analysis, to be headed by the Chief Economist of the Commission, and of which not to exceed \$10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions, and of which not to exceed \$100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of co-operation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (i) such incidental expenses as meals taken in the course of such attendance, (ii) any travel and transportation to or from such meetings, and (iii) any other related lodging or subsistence: Provided, That immediately upon enactment of this Act, the rate of fees under section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)) shall increase from one-fiftieth of one percentum to one-twenty-ninth of one percentum, and such increase shall be deposited as an offsetting collection to this appropriation, to remain available until expended, to recover costs of services of the securities registration process: Provided further, That the total amount appropriated for fiscal year 1996 under this heading shall be reduced as such fees are deposited to this appropriation so as to result in a final total fiscal year 1996 appropriation from

the General Fund estimated at not more than \$103,445,000: Provided further, That any such fees collected in excess of \$184,293,000 shall remain available until expended but shall not be available for obligation until October 1, 1996: Provided further, That \$1,000,000 of the funds appropriated for the Commission shall be available for the enforcement of the Investment Advisers Act of 1940 in addition to any other appropriated funds designated by the Commission for enforcement of such Act.

#### SMALL BUSINESS ADMINISTRATION

##### SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 103-403, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed \$3,500 for official reception and representation expenses, \$219,190,000: Provided, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan servicing activities: Provided further, That notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations.

##### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1-11 as amended by Public Law 100-504), \$8,500,000.

##### BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$4,500,000, and for the cost of guaranteed loans, \$156,226,000, as authorized by 15 U.S.C. 631 note, of which \$1,216,000, to be available until expended, shall be for the Microloan Guarantee Program, and of which \$40,510,000 shall remain available until September 30, 1997: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That during fiscal year 1996, commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958, as amended, shall not exceed the amount of financings authorized under section 20(n)(2)(B) of the Small Business Act, as amended.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$92,622,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

##### DISASTER LOANS PROGRAM ACCOUNT

For the cost of direct loans authorized by section 7(b) of the Small Business Act, as amended, \$34,432,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct loan program, \$71,578,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

##### SURETY BOND GUARANTEES REVOLVING FUND

For additional capital for the "Surety Bond Guarantees Revolving Fund", authorized by the Small Business Investment Act, as amended, \$2,530,000, to remain available without fiscal year limitation as authorized by 15 U.S.C. 631 note.

##### ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

SEC. 510. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and

shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

STATE JUSTICE INSTITUTE  
SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by The State Justice Institute Authorization Act of 1992 (Public Law 102-572 (106 Stat. 4515-4516)), \$5,000,000 to remain available until expended: Provided, That not to exceed \$2,500 shall be available for official reception and representation expenses.

TITLE VI—GENERAL PROVISIONS

SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 605 (a) None of the funds provided under this Act, or provided under previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 1996, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 1996, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

SEC. 606. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

SEC. 607. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 608. None of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

SEC. 609. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay for any cost incurred for (1) opening or operating any United States diplomatic or consular post in the Socialist Republic of Vietnam that was not operating on July 11, 1995; (2) expanding any United States diplomatic or consular post in the Socialist Republic of Vietnam that was operating on July 11, 1995; or (3) increasing the total number of personnel assigned to United States diplomatic or consular posts in the Socialist Republic of Vietnam above the levels existing on July 11, 1995, unless the President certifies within 60 days, based upon all information available to the United States Government that the Government of the Socialist Republic of Vietnam is co-operating in full faith with the United States in the following four areas:

(1) Resolving discrepancy cases, live sightings and field activities,

(2) Recovering and repatriating American remains,

(3) Accelerating efforts to provide documents that will help lead to fullest possible accounting of POW/MIA's,

(4) Providing further assistance in implementing trilateral investigations with Laos.

SEC. 610. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds (1) that the United Nations undertaking is a peacekeeping mission, (2) that such undertaking will involve United States Armed Forces under the command or operational control of a foreign national, and (3) that the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

SEC. 611. None of the funds made available in this Act shall be used to provide the following amenities or personal comforts in the Federal prison system—

(1) in-cell television viewing except for prisoners who are segregated from the general prison population for their own safety;

(2) the viewing of R, X, and NC-17 rated movies, through whatever medium presented;

(3) any instruction (live or through broadcasts) or training equipment for boxing, wrestling, judo, karate, or other martial art, or any bodybuilding or weightlifting equipment of any sort;

(4) possession of in-cell coffee pots, hot plates, or heating elements; or

(5) the use or possession of any electric or electronic musical instrument.

SEC. 612. None of the funds made available in title II for the National Oceanic and Atmospheric Administration under the heading "Fleet Modernization, Shipbuilding and Conversion"

may be used to implement sections 603, 604, and 605 of Public Law 102-567.

SEC. 613. None of the funds made available in this Act may be used for "USIA Television Marti Program" under the Television Broadcasting to Cuba Act or any other program of United States Government television broadcasts to Cuba, when it is made known to the Federal official having authority to obligate or expend such funds that such use would be inconsistent with the applicable provisions of the March 1995 Office of Cuba Broadcasting Reinventing Plan of the United States Information Agency.

SEC. 614. (a)(1) Section 5002 of title 18, United States Code, is repealed.

(2) The table of sections for chapter 401 of title 18, United States Code, is amended by striking out the item relating to the Advisory Corrections Council.

(b) This section shall take effect 30 days after the date of the enactment of this Act.

SEC. 615. Any costs incurred by a Department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such Department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this provision is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 616. Notwithstanding section 106 of Public Law 104-91, the general provisions for the Department of Justice that were included in the conference report to accompany H.R. 2076 and were identified in the amendment to Public Law 104-91 made by section 211 of Public Law 104-99 shall continue to remain in effect as enacted into law.

SEC. 617. Upon enactment of this Act, the provisions of section 201(a) of Public Law 104-99 are superseded.

TITLE VII—RESCISSIONS  
DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

WORKING CAPITAL FUND

(RESCISSION)

Of the unobligated balances available under this heading, \$65,000,000 are rescinded.

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

ACQUISITION AND MAINTENANCE OF BUILDINGS

ABROAD

(RESCISSION)

Of the unobligated balances available under this heading, \$64,500,000 are rescinded.

RELATED AGENCIES

UNITED STATES INFORMATION AGENCY

RADIO CONSTRUCTION

(RESCISSION)

Of the unobligated balances available under this heading, \$7,400,000 are rescinded.

TITLE VIII—PRISON LITIGATION REFORM

SEC. 801. SHORT TITLE.

This title may be cited as the "Prison Litigation Reform Act of 1995".

SEC. 802. APPROPRIATE REMEDIES FOR PRISON CONDITIONS.

(a) IN GENERAL.—Section 3626 of title 18, United States Code, is amended to read as follows:

**"§3626. Appropriate remedies with respect to prison conditions**

**"(a) REQUIREMENTS FOR RELIEF.—**

**"(1) PROSPECTIVE RELIEF.—(A)** Prospective relief in any civil action with respect to prison conditions shall extend no further than necessary to correct the violation of the Federal

right of a particular plaintiff or plaintiffs. The court shall not grant or approve any prospective relief unless the court finds that such relief is narrowly drawn, extends no further than necessary to correct the violation of the Federal right, and is the least intrusive means necessary to correct the violation of the Federal right. The court shall give substantial weight to any adverse impact on public safety or the operation of a criminal justice system caused by the relief.

“(B) The court shall not order any prospective relief that requires or permits a government official to exceed his or her authority under State or local law or otherwise violates State or local law, unless—

“(i) Federal law permits such relief to be ordered in violation of State or local law;

“(ii) the relief is necessary to correct the violation of a Federal right; and

“(iii) no other relief will correct the violation of the Federal right.

“(C) Nothing in this section shall be construed to authorize the courts, in exercising their remedial powers, to order the construction of prisons or the raising of taxes, or to repeal or detract from otherwise applicable limitations on the remedial powers of the courts.

“(2) PRELIMINARY INJUNCTIVE RELIEF.—In any civil action with respect to prison conditions, to the extent otherwise authorized by law, the court may enter a temporary restraining order or an order for preliminary injunctive relief. Preliminary injunctive relief must be narrowly drawn, extend no further than necessary to correct the harm the court finds requires preliminary relief, and be the least intrusive means necessary to correct that harm. The court shall give substantial weight to any adverse impact on public safety or the operation of a criminal justice system caused by the preliminary relief and shall respect the principles of comity set out in paragraph (1)(B) in tailoring any preliminary relief. Preliminary injunctive relief shall automatically expire on the date that is 90 days after its entry, unless the court makes the findings required under subsection (a)(1) for the entry of prospective relief and makes the order final before the expiration of the 90-day period.

“(3) PRISONER RELEASE ORDER.—(A) In any civil action with respect to prison conditions, no prisoner release order shall be entered unless—

“(i) a court has previously entered an order for less intrusive relief that has failed to remedy the deprivation of the Federal right sought to be remedied through the prisoner release order; and

“(ii) the defendant has had a reasonable amount of time to comply with the previous court orders.

“(B) In any civil action in Federal court with respect to prison conditions, a prisoner release order shall be entered only by a three-judge court in accordance with section 2284 of title 28, if the requirements of subparagraph (E) have been met.

“(C) A party seeking a prisoner release order in Federal court shall file with any request for such relief, a request for a three-judge court and materials sufficient to demonstrate that the requirements of subparagraph (A) have been met.

“(D) If the requirements under subparagraph (A) have been met, a Federal judge before whom a civil action with respect to prison conditions is pending who believes that a prisoner release order should be considered may sua sponte request the convening of a three-judge court to determine whether a prisoner release order should be entered.

“(E) The three-judge court shall enter a prisoner release order only if the court finds by clear and convincing evidence that—

“(i) crowding is the primary cause of the violation of a Federal right; and

“(ii) no other relief will remedy the violation of the Federal right.

“(F) Any State or local official or unit of government whose jurisdiction or function includes the appropriation of funds for the construction,

operation, or maintenance of program facilities, or the prosecution or custody of persons who may be released from, or not admitted to, a prison as a result of a prisoner release order shall have standing to oppose the imposition or continuation in effect of such relief and to seek termination of such relief, and shall have the right to intervene in any proceeding relating to such relief.

“(b) TERMINATION OF RELIEF.—

“(1) TERMINATION OF PROSPECTIVE RELIEF.—

(A) In any civil action with respect to prison conditions in which prospective relief is ordered, such relief shall be terminable upon the motion of any party or intervenor—

“(i) 2 years after the date the court granted or approved the prospective relief;

“(ii) 1 year after the date the court has entered an order denying termination of prospective relief under this paragraph; or

“(iii) in the case of an order issued on or before the date of enactment of the Prison Litigation Reform Act, 2 years after such date of enactment.

“(B) Nothing in this section shall prevent the parties from agreeing to terminate or modify relief before the relief is terminated under subparagraph (A).

“(2) IMMEDIATE TERMINATION OF PROSPECTIVE RELIEF.—

In any civil action with respect to prison conditions, a defendant or intervenor shall be entitled to the immediate termination of any prospective relief if the relief was approved or granted in the absence of a finding by the court that the relief is narrowly drawn, extends no further than necessary to correct the violation of the Federal right, and is the least intrusive means necessary to correct the violation of the Federal right.

“(3) LIMITATION.—Prospective relief shall not terminate if the court makes written findings based on the record that prospective relief remains necessary to correct a current or ongoing violation of the Federal right, extends no further than necessary to correct the violation of the Federal right, and that the prospective relief is narrowly drawn and the least intrusive means to correct the violation.

“(4) TERMINATION OR MODIFICATION OF RELIEF.—Nothing in this section shall prevent any party or intervenor from seeking modification or termination before the relief is terminable under paragraph (1) or (2), to the extent that modification or termination would otherwise be legally permissible.

“(c) SETTLEMENTS.—

“(1) CONSENT DECREES.—In any civil action with respect to prison conditions, the court shall not enter or approve a consent decree unless it complies with the limitations on relief set forth in subsection (a).

“(2) PRIVATE SETTLEMENT AGREEMENTS.—(A) Nothing in this section shall preclude parties from entering into a private settlement agreement that does not comply with the limitations on relief set forth in subsection (a), if the terms of that agreement are not subject to court enforcement other than the reinstatement of the civil proceeding that the agreement settled.

“(B) Nothing in this section shall preclude any party claiming that a private settlement agreement has been breached from seeking in State court any remedy available under State law.

“(d) STATE LAW REMEDIES.—The limitations on remedies in this section shall not apply to relief entered by a State court based solely upon claims arising under State law.

“(e) PROCEDURE FOR MOTIONS AFFECTING PROSPECTIVE RELIEF.—

“(1) GENERALLY.—The court shall promptly rule on any motion to modify or terminate prospective relief in a civil action with respect to prison conditions.

“(2) AUTOMATIC STAY.—Any prospective relief subject to a pending motion shall be automatically stayed during the period—

“(A)(i) beginning on the 30th day after such motion is filed, in the case of a motion made under paragraph (1) or (2) of subsection (b); or

“(ii) beginning on the 180th day after such motion is filed, in the case of a motion made under any other law; and

“(B) ending on the date the court enters a final order ruling on the motion.

“(f) SPECIAL MASTERS.—

“(1) IN GENERAL.—(A) In any civil action in a Federal court with respect to prison conditions, the court may appoint a special master who shall be disinterested and objective and who will give due regard to the public safety, to conduct hearings on the record and prepare proposed findings of fact.

“(B) The court shall appoint a special master under this subsection during the remedial phase of the action only upon a finding that the remedial phase will be sufficiently complex to warrant the appointment.

“(2) APPOINTMENT.—(A) If the court determines that the appointment of a special master is necessary, the court shall request that the defendant institution and the plaintiff each submit a list of not more than 5 persons to serve as a special master.

“(B) Each party shall have the opportunity to remove up to 3 persons from the opposing party's list.

“(C) The court shall select the master from the persons remaining on the list after the operation of subparagraph (B).

“(3) INTERLOCUTORY APPEAL.—Any party shall have the right to an interlocutory appeal of the judge's selection of the special master under this subsection, on the ground of partiality.

“(4) COMPENSATION.—The compensation to be allowed to a special master under this section shall be based on an hourly rate not greater than the hourly rate established under section 3006A for payment of court-appointed counsel, plus costs reasonably incurred by the special master. Such compensation and costs shall be paid with funds appropriated to the Judiciary.

“(5) REGULAR REVIEW OF APPOINTMENT.—In any civil action with respect to prison conditions in which a special master is appointed under this subsection, the court shall review the appointment of the special master every 6 months to determine whether the services of the special master continue to be required under paragraph (1). In no event shall the appointment of a special master extend beyond the termination of the relief.

“(6) LIMITATIONS ON POWERS AND DUTIES.—A special master appointed under this subsection—

“(A) may be authorized by a court to conduct hearings and prepare proposed findings of fact, which shall be made on the record;

“(B) shall not make any findings or communications ex parte;

“(C) may be authorized by a court to assist in the development of remedial plans; and

“(D) may be removed at any time, but shall be relieved of the appointment upon the termination of relief.

“(g) DEFINITIONS.—As used in this section—

“(1) the term ‘consent decree’ means any relief entered by the court that is based in whole or in part upon the consent or acquiescence of the parties but does not include private settlements;

“(2) the term ‘civil action with respect to prison conditions’ means any civil proceeding arising under Federal law with respect to the conditions of confinement or the effects of actions by government officials on the lives of persons confined in prison, but does not include habeas corpus proceedings challenging the fact or duration of confinement in prison;

“(3) the term ‘prisoner’ means any person subject to incarceration, detention, or admission to any facility who is accused of, convicted of, sentenced for, or adjudicated delinquent for, violations of criminal law or the terms and conditions of parole, probation, pretrial release, or diversionary program;

"(4) the term 'prisoner release order' includes any order, including a temporary restraining order or preliminary injunctive relief, that has the purpose or effect of reducing or limiting the prison population, or that directs the release from or nonadmission of prisoners to a prison;

"(5) the term 'prison' means any Federal, State, or local facility that incarcerates or detains juveniles or adults accused of, convicted of, sentenced for, or adjudicated delinquent for, violations of criminal law;

"(6) the term 'private settlement agreement' means an agreement entered into among the parties that is not subject to judicial enforcement other than the reinstatement of the civil proceeding that the agreement settled;

"(7) the term 'prospective relief' means all relief other than compensatory monetary damages;

"(8) the term 'special master' means any person appointed by a Federal court pursuant to Rule 53 of the Federal Rules of Civil Procedure or pursuant to any inherent power of the court to exercise the powers of a master, regardless of the title or description given by the court; and

"(9) the term 'relief' means all relief in any form that may be granted or approved by the court, and includes consent decrees but does not include private settlement agreements."

(b) APPLICATION OF AMENDMENT.—

(1) IN GENERAL.—Section 3026 of title 18, United States Code, as amended by this section, shall apply with respect to all prospective relief whether such relief was originally granted or approved before, on, or after the date of the enactment of this title.

(2) TECHNICAL AMENDMENT.—Subsections (b) and (d) of section 20409 of the Violent Crime Control and Law Enforcement Act of 1994 are repealed.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter C of chapter 229 of title 18, United States Code, is amended to read as follows:

"3626. Appropriate remedies with respect to prison conditions."

#### SEC. 803. AMENDMENTS TO CIVIL RIGHTS OF INSTITUTIONALIZED PERSONS ACT.

(a) INITIATION OF CIVIL ACTIONS.—Section 3(c) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997a(c)) (referred to in this section as the "Act") is amended to read as follows:

"(c) The Attorney General shall personally sign any complaint filed pursuant to this section."

(b) CERTIFICATION REQUIREMENTS.—Section 4 of the Act (42 U.S.C. 1997b) is amended—

(1) in subsection (a)—

(A) by striking "he" each place it appears and inserting "the Attorney General"; and

(B) by striking "his" and inserting "the Attorney General's"; and

(2) by amending subsection (b) to read as follows:

"(b) The Attorney General shall personally sign any certification made pursuant to this section."

(c) INTERVENTION IN ACTIONS.—Section 5 of the Act (42 U.S.C. 1997c) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking "he" each place it appears and inserting "the Attorney General"; and

(B) by amending paragraph (2) to read as follows:

"(2) The Attorney General shall personally sign any certification made pursuant to this section."; and

(2) by amending subsection (c) to read as follows:

"(c) The Attorney General shall personally sign any motion to intervene made pursuant to this section."

(d) SUITS BY PRISONERS.—Section 7 of the Act (42 U.S.C. 1997e) is amended to read as follows:

"SEC. 7. SUITS BY PRISONERS.  
"(a) APPLICABILITY OF ADMINISTRATIVE REMEDIES.—No action shall be brought with respect

to prison conditions under section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983), or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted.

"(b) FAILURE OF STATE TO ADOPT OR ADHERE TO ADMINISTRATIVE GRIEVANCE PROCEDURE.—The failure of a State to adopt or adhere to an administrative grievance procedure shall not constitute the basis for an action under section 3 or 5 of this Act.

"(c) DISMISSAL.—(1) The court shall on its own motion or on the motion of a party dismiss any action brought with respect to prison conditions under section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983), or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility if the court is satisfied that the action is frivolous, malicious, fails to state a claim upon which relief can be granted, or seeks monetary relief from a defendant who is immune from such relief.

"(2) In the event that a claim is, on its face, frivolous, malicious, fails to state a claim upon which relief can be granted, or seeks monetary relief from a defendant who is immune from such relief, the court may dismiss the underlying claim without first requiring the exhaustion of administrative remedies.

"(d) ATTORNEY'S FEES.—(1) In any action brought by a prisoner who is confined to any jail, prison, or other correctional facility, in which attorney's fees are authorized under section 2 of the Revised Statutes of the United States (42 U.S.C. 1988), such fees shall not be awarded, except to the extent that—

"(A) the fee was directly and reasonably incurred in proving an actual violation of the plaintiff's rights protected by a statute pursuant to which a fee may be awarded under section 2 of the Revised Statutes; and

"(B)(i) the amount of the fee is proportionately related to the court ordered relief for the violation; or

"(ii) the fee was directly and reasonably incurred in enforcing the relief ordered for the violation.

"(2) Whenever a monetary judgment is awarded in an action described in paragraph (1), a portion of the judgment (not to exceed 25 percent) shall be applied to satisfy the amount of attorney's fees awarded against the defendant. If the award of attorney's fees is not greater than 150 percent of the judgment, the excess shall be paid by the defendant.

"(3) No award of attorney's fees in an action described in paragraph (1) shall be based on an hourly rate greater than 150 percent of the hourly rate established under section 3006A of title 18, United States Code, for payment of court-appointed counsel.

"(4) Nothing in this subsection shall prohibit a prisoner from entering into an agreement to pay an attorney's fee in an amount greater than the amount authorized under this subsection, if the fee is paid by the individual rather than by the defendant pursuant to section 2 of the Revised Statutes of the United States (42 U.S.C. 1988).

"(e) LIMITATION ON RECOVERY.—No Federal civil action may be brought by a prisoner confined in a jail, prison, or other correctional facility, for mental or emotional injury suffered while in custody without a prior showing of physical injury.

"(f) HEARINGS.—(1) To the extent practicable, in any action brought with respect to prison conditions in Federal court pursuant to section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983), or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility, pretrial proceedings in which the prisoner's participation is required or permitted shall be conducted by telephone, video conference, or other telecommunications technology without removing the prisoner from the facility in which the prisoner is confined.

"(2) Subject to the agreement of the official of the Federal, State, or local unit of government with custody over the prisoner, hearings may be conducted at the facility in which the prisoner is confined. To the extent practicable, the court shall allow counsel to participate by telephone, video conference, or other communications technology in any hearing held at the facility.

"(g) WAIVER OF REPLY.—(1) Any defendant may waive the right to reply to any action brought by a prisoner confined in any jail, prison, or other correctional facility under section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983) or any other Federal law. Notwithstanding any other law or rule of procedure, such waiver shall not constitute an admission of the allegations contained in the complaint. No relief shall be granted to the plaintiff unless a reply has been filed.

"(2) The court may require any defendant to reply to a complaint brought under this section if it finds that the plaintiff has a reasonable opportunity to prevail on the merits.

"(h) DEFINITION.—As used in this section, the term 'prisoner' means any person incarcerated or detained in any facility who is accused of, convicted of, sentenced for, or adjudicated delinquent for, violations of criminal law or the terms and conditions of parole, probation, pretrial release, or diversionary program."

(e) REPORT TO CONGRESS.—Section 8 of the Act (42 U.S.C. 1997f) is amended by striking "his report" and inserting "the report".

(f) NOTICE TO FEDERAL DEPARTMENTS.—Section 10 of the Act (42 U.S.C. 1997h) is amended—

(1) by striking "his action" and inserting "the action"; and

(2) by striking "he is satisfied" and inserting "the Attorney General is satisfied".

#### SEC. 804. PROCEEDINGS IN FORMA PAUPERIS.

(a) FILING FEES.—Section 1915 of title 28, United States Code, is amended—

(1) in subsection (a)—

(A) by striking "(a) Any" and inserting "(a)(1) Subject to subsection (b), any";

(B) by striking "and costs";

(C) by striking "makes affidavit" and inserting "submits an affidavit that includes a statement of all assets such prisoner possesses";

(D) by striking "such costs" and inserting "such fees";

(E) by striking "he" each place it appears and inserting "the person";

(F) by adding immediately after paragraph

(1), the following new paragraph:

"(2) A prisoner seeking to bring a civil action or appeal a judgment in a civil action or proceeding without prepayment of fees or security therefor, in addition to filing the affidavit filed under paragraph (1), shall submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint or notice of appeal, obtained from the appropriate official of each prison at which the prisoner is or was confined."; and

(G) by striking "An appeal" and inserting "(3) An appeal";

(2) by redesignating subsections (b), (c), (d), and (e) as subsections (c), (d), (e), and (f), respectively;

(3) by inserting after subsection (a) the following new subsection:

"(b)(1) Notwithstanding subsection (a), if a prisoner brings a civil action or files an appeal in forma pauperis, the prisoner shall be required to pay the full amount of a filing fee. The court shall assess and, when funds exist, collect, as a partial payment of any court fees required by law, an initial partial filing fee of 20 percent of the greater of—

"(A) the average monthly deposits to the prisoner's account; or

"(B) the average monthly balance in the prisoner's account for the 6-month period immediately preceding the filing of the complaint or notice of appeal.

"(2) After payment of the initial partial filing fee, the prisoner shall be required to make monthly payments of 20 percent of the preceding month's income credited to the prisoner's account. The agency having custody of the prisoner shall forward payments from the prisoner's account to the clerk of the court each time the amount in the account exceeds \$10 until the filing fees are paid.

"(3) In no event shall the filing fee collected exceed the amount of fees permitted by statute for the commencement of a civil action or an appeal of a civil action or criminal judgment.

"(4) In no event shall a prisoner be prohibited from bringing a civil action or appealing a civil or criminal judgment for the reason that the prisoner has no assets and no means by which to pay the initial partial filing fee."

(4) in subsection (c), as redesignated by paragraph (2), by striking "subsection (a) of this section" and inserting "subsections (a) and (b) and the prepayment of any partial filing fee as may be required under subsection (b)"; and

(5) by amending subsection (e), as redesignated by paragraph (2), to read as follows:

"(e)(1) The court may request an attorney to represent any person unable to afford counsel.

"(2) Notwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that—

"(A) the allegation of poverty is untrue; or

"(B) the action or appeal—

"(i) is frivolous or malicious;

"(ii) fails to state a claim on which relief may be granted; or

"(iii) seeks monetary relief against a defendant who is immune from such relief."

(b) EXCEPTION TO DISCHARGE OF DEBT IN BANKRUPTCY PROCEEDING.—Section 523(a) of title 11, United States Code, is amended—

(1) in paragraph (16), by striking the period at the end and inserting "; or"; and

(2) by adding at the end the following new paragraph:

"(17) for a fee imposed by a court for the filing of a case, motion, complaint, or appeal, or for other costs and expenses assessed with respect to such filing, regardless of an assertion of poverty by the debtor under section 1915 (b) or (f) of title 28, or the debtor's status as a prisoner, as defined in section 1915(h) of title 28."

(c) COSTS.—Section 1915(f) of title 28, United States Code (as redesignated by subsection (a)(2)), is amended—

(1) by striking "(f) Judgment" and inserting "(f)(1) Judgment";

(2) by striking "cases" and inserting "proceedings"; and

(3) by adding at the end the following new paragraph:

"(2)(A) If the judgment against a prisoner includes the payment of costs under this subsection, the prisoner shall be required to pay the full amount of the costs ordered.

"(B) The prisoner shall be required to make payments for costs under this subsection in the same manner as is provided for filing fees under subsection (a)(2).

"(C) In no event shall the costs collected exceed the amount of the costs ordered by the court."

(d) SUCCESSIVE CLAIMS.—Section 1915 of title 28, United States Code, is amended by adding at the end the following new subsection:

"(g) In no event shall a prisoner bring a civil action or appeal a judgment in a civil action or proceeding under this section if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury."

(e) DEFINITION.—Section 1915 of title 28, United States Code, is amended by adding at the end the following new subsection:

"(h) As used in this section, the term 'prisoner' means any person incarcerated or detained in any facility who is accused of, convicted of, sentenced for, or adjudicated delinquent for, violations of criminal law or the terms and conditions of parole, probation, pretrial release, or diversionary program."

#### SEC. 805. JUDICIAL SCREENING.

(a) IN GENERAL.—Chapter 123 of title 28, United States Code, is amended by inserting after section 1915 the following new section:

##### "§1915A. Screening

"(a) SCREENING.—The court shall review, before docketing, if feasible or, in any event, as soon as practicable after docketing, a complaint in a civil action in which a prisoner seeks redress from a governmental entity or officer or employee of a governmental entity.

"(b) GROUNDS FOR DISMISSAL.—On review, the court shall identify cognizable claims or dismiss the complaint, or any portion of the complaint, if the complaint—

"(1) is frivolous, malicious, or fails to state a claim upon which relief may be granted; or

"(2) seeks monetary relief from a defendant who is immune from such relief.

"(c) DEFINITION.—As used in this section, the term 'prisoner' means any person incarcerated or detained in any facility who is accused of, convicted of, sentenced for, or adjudicated delinquent for, violations of criminal law or the terms and conditions of parole, probation, pretrial release, or diversionary program."

(b) TECHNICAL AMENDMENT.—The analysis for chapter 123 of title 28, United States Code, is amended by inserting after the item relating to section 1915 the following new item:

"1915A. Screening."

#### SEC. 806. FEDERAL TORT CLAIMS.

Section 1346(b) of title 28, United States Code, is amended—

(1) by striking "(b)" and inserting "(b)(1)"; and

(2) by adding at the end the following:

"(2) No person convicted of a felony who is incarcerated while awaiting sentencing or while serving a sentence may bring a civil action against the United States or an agency, officer, or employee of the Government, for mental or emotional injury suffered while in custody without a prior showing of physical injury."

#### SEC. 807. PAYMENT OF DAMAGE AWARD IN SATISFACTION OF PENDING RESTITUTION ORDERS.

Any compensatory damages awarded to a prisoner in connection with a civil action brought against any Federal, State, or local jail, prison, or correctional facility or against any official or agent of such jail, prison, or correctional facility, shall be paid directly to satisfy any outstanding restitution orders pending against the prisoner. The remainder of any such award after full payment of all pending restitution orders shall be forwarded to the prisoner.

#### SEC. 808. NOTICE TO CRIME VICTIMS OF PENDING DAMAGE AWARD.

Prior to payment of any compensatory damages awarded to a prisoner in connection with a civil action brought against any Federal, State, or local jail, prison, or correctional facility or against any official or agent of such jail, prison, or correctional facility, reasonable efforts shall be made to notify the victims of the crime for which the prisoner was convicted and incarcerated concerning the pending payment of any such compensatory damages.

#### SEC. 809. EARNED RELEASE CREDIT OR GOOD TIME CREDIT REVOCATION.

(a) IN GENERAL.—Chapter 123 of title 28, United States Code, is amended by adding at the end the following new section:

##### "§1932. Revocation of earned release credit

"In any civil action brought by an adult convicted of a crime and confined in a Federal correctional facility, the court may order the rev-

ocation of such earned good time credit under section 3624(b) of title 18, United States Code, that has not yet vested, if, on its own motion or the motion of any party, the court finds that—

"(1) the claim was filed for a malicious purpose;

"(2) the claim was filed solely to harass the party against which it was filed; or

"(3) the claimant testifies falsely or otherwise knowingly presents false evidence or information to the court."

(b) TECHNICAL AMENDMENT.—The analysis for chapter 123 of title 28, United States Code, is amended by inserting after the item relating to section 1931 the following:

"1932. Revocation of earned release credit."

(c) AMENDMENT OF SECTION 3624 OF TITLE 18.—Section 3624(b) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking the first sentence;

(B) in the second sentence—

(i) by striking "A prisoner" and inserting "Subject to paragraph (2), a prisoner";

(ii) by striking "for a crime of violence,"; and

(iii) by striking "such";

(C) in the third sentence, by striking "If the Bureau" and inserting "Subject to paragraph (2), if the Bureau";

(D) by striking the fourth sentence and inserting the following: "In awarding credit under this section, the Bureau shall consider whether the prisoner, during the relevant period, has earned, or is making satisfactory progress toward earning, a high school diploma or an equivalent degree."; and

(E) in the sixth sentence, by striking "Credit for the last" and inserting "Subject to paragraph (2), credit for the last"; and

(2) by amending paragraph (2) to read as follows:

"(2) Notwithstanding any other law, credit awarded under this subsection after the date of enactment of the Prison Litigation Reform Act shall vest on the date the prisoner is released from custody."

#### SEC. 810. SEVERABILITY.

If any provision of this title, an amendment made by this title, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this title, the amendments made by this title, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

This Act may be cited as the "Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996."

(b) For programs, projects or activities in the District of Columbia Appropriations Act, 1996, provided as follows, to be effective as if it had been enacted into law as the regular appropriations Act:

AN ACT MAKING APPROPRIATIONS FOR THE GOVERNMENT OF THE DISTRICT OF COLUMBIA AND OTHER ACTIVITIES CHARGEABLE IN WHOLE OR IN PART AGAINST THE REVENUES OF SAID DISTRICT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1996, AND FOR OTHER PURPOSES.

#### TITLE I—FISCAL YEAR 1996 APPROPRIATIONS

##### FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

For payment to the District of Columbia for the fiscal year ending September 30, 1996, \$660,000,000, as authorized by section 502(a) of the District of Columbia Self-Government and Governmental Reorganization Act, Public Law 93-198, as amended (D.C. Code, sec. 47-3406.1).

##### FEDERAL CONTRIBUTION TO RETIREMENT FUNDS

For the Federal contribution to the Police Officers and Fire Fighters', Teachers', and Judges' Retirement Funds, as authorized by the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 866; Public Law 96-122), \$52,070,000.



## DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided.

## GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, \$149,130,000 and 1,498 full-time equivalent positions (end of year) (including \$117,464,000 and 1,158 full-time equivalent positions from local funds, \$2,464,000 and 5 full-time equivalent positions from Federal funds, \$4,474,000 and 71 full-time equivalent positions from other funds, and \$24,728,000 and 264 full-time equivalent positions from intra-District funds): Provided, That not to exceed \$2,500 for the Mayor, \$2,500 for the Chairman of the Council of the District of Columbia, and \$2,500 for the City Administrator shall be available from this appropriation for expenditures for official purposes: Provided further, That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: Provided further, That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: Provided further, That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally-generated revenues: Provided further, That \$29,500,000 is for pay-as-you-go capital projects of which \$1,500,000 shall be for a capital needs assessment study, and \$28,000,000 shall be for a new financial management system, if so determined following the evaluation and review process subsequently described in this paragraph, of which \$2,000,000 shall be used to develop a needs analysis and assessment of the existing financial management environment, and the remaining \$26,000,000 shall be used to procure the necessary hardware and installation of new software, conversion, testing and training: Provided further, That the \$26,000,000 shall not be obligated or expended until: (1) the District of Columbia Financial Responsibility and Management Assistance Authority submits a report to the Committees on Appropriations of the House and the Senate, the Committee on Governmental Reform and Oversight of the House, and the Committee on Governmental Affairs of the Senate reporting the results of a needs analysis and assessment of the existing financial management environment, specifying the deficiencies in, and recommending necessary improvements to or replacement of the District's financial management system including a detailed explanation of each recommendation and its estimated cost; and (2) 30 days lapse after receipt of the report by Congress: Provided further, That the District of Columbia government shall enter into negotiations with Gallaudet University to transfer, at a fair market value rate, Hamilton School from the District of Columbia to Gallaudet University with the proceeds, if such a sale takes place, deposited into the general fund of the District and used to improve public school facilities in the same ward as the Hamilton School.

## ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, \$140,983,000 and 1,692 full-time equivalent positions (end-of-year) (including \$68,203,000 and 698 full-time equivalent positions from local funds, \$38,792,000 and 509 full-time equivalent positions from Federal funds, \$17,658,000 and 258 full-time equivalent positions from other funds, and \$16,330,000 and 227 full-time equivalent positions from intra-District funds): Provided, That the District of Columbia Housing Finance Agency, established by section 201 of the District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Code, sec. 45-2111), based upon its capability of repayments as determined each year by

the Council of the District of Columbia from the Housing Finance Agency's annual audited financial statements to the Council of the District of Columbia, shall repay to the general fund an amount equal to the appropriated administrative costs plus interest at a rate of four percent per annum for a term of 15 years, with a deferral of payments for the first three years: Provided further, That notwithstanding the foregoing provision, the obligation to repay all or part of the amounts due shall be subject to the rights of the owners of any bonds or notes issued by the Housing Finance Agency and shall be repaid to the District of Columbia government only from available operating revenues of the Housing Finance Agency that are in excess of the amounts required for debt service, reserve funds, and operating expenses: Provided further, That upon commencement of the debt service payments, such payments shall be deposited into the general fund of the District of Columbia.

## PUBLIC SAFETY AND JUSTICE

Public safety and justice, including purchase of 135 passenger-carrying vehicles for replacement only, including 130 for police-type use and five for fire-type use, without regard to the general purchase price limitation for the current fiscal year, \$963,848,000 and 11,544 full-time equivalent positions (end-of-year) (including \$940,631,000 and 11,365 full-time equivalent positions from local funds, \$8,942,000 and 70 full-time equivalent positions from Federal funds, \$5,160,000 and 4 full-time equivalent positions from other funds, and \$9,115,000 and 105 full-time equivalent positions from intra-District funds): Provided, That the Metropolitan Police Department is authorized to replace not to exceed 25 passenger-carrying vehicles and the Fire Department of the District of Columbia is authorized to replace not to exceed five passenger-carrying vehicles annually whenever the cost of repair to any damaged vehicle exceeds three-fourths of the cost of the replacement: Provided further, That not to exceed \$500,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: Provided further, That the Metropolitan Police Department shall provide quarterly reports to the Committees on Appropriations of the House and Senate on efforts to increase efficiency and improve the professionalism in the department: Provided further, That notwithstanding any other provision of law, or Mayor's Order 86-45, issued March 18, 1986, the Metropolitan Police Department's delegated small purchase authority shall be \$500,000: Provided further, That the District of Columbia government may not require the Metropolitan Police Department to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed \$500,000: Provided further, That \$250,000 is used for the Georgetown Summer Detail; \$200,000 is used for East of the River Detail; \$100,000 is used for Adams Morgan Detail; and \$100,000 is used for the Capitol Hill Summer Detail: Provided further, That the Metropolitan Police Department shall employ an authorized level of sworn officers not to be less than 3,800 sworn officers for the fiscal year ending September 30, 1996: Provided further, That funds appropriated for expenses under the District of Columbia Criminal Justice Act, approved September 3, 1974 (88 Stat. 1090; Public Law 93-412; D.C. Code, sec. 11-2601 et seq.), for the fiscal year ending September 30, 1996, shall be available for obligations incurred under the Act in each fiscal year since inception in the fiscal year 1975: Provided further, That funds appropriated for expenses under the District of Columbia Neglect Representation Equity Act of 1984, effective March 13, 1985 (D.C. Law 5-129; D.C. Code, sec. 16-2304), for the fiscal year ending September 30, 1996, shall be available for obligations incurred under the Act in

each fiscal year since inception in the fiscal year 1985: Provided further, That funds appropriated for expenses under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986, effective February 27, 1987 (D.C. Law 6-204; D.C. Code, sec. 21-2060), for the fiscal year ending September 30, 1996, shall be available for obligations incurred under the Act in each fiscal year since inception in fiscal year 1989: Provided further, That not to exceed \$1,500 for the Chief Judge of the District of Columbia Court of Appeals, \$1,500 for the Chief Judge of the Superior Court of the District of Columbia, and \$1,500 for the Executive Officer of the District of Columbia Courts shall be available from this appropriation for official purposes: Provided further, That the District of Columbia shall operate and maintain a free, 24-hour telephone information service whereby residents of the area surrounding Lorton prison in Fairfax County, Virginia, can promptly obtain information from District of Columbia government officials on all disturbances at the prison, including escapes, riots, and similar incidents: Provided further, That the District of Columbia government shall also take steps to publicize the availability of the 24-hour telephone information service among the residents of the area surrounding the Lorton prison: Provided further, That not to exceed \$100,000 of this appropriation shall be used to reimburse Fairfax County, Virginia, and Prince William County, Virginia, for expenses incurred by the counties during the fiscal year ending September 30, 1996, in relation to the Lorton prison complex: Provided further, That such reimbursements shall be paid in all instances in which the District requests the counties to provide police, fire, rescue, and related services to help deal with escapes, fires, riots, and similar disturbances involving the prison: Provided further, That the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: Provided further, That such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved.

## PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, \$795,201,000 and 11,670 full-time equivalent positions (end-of-year) (including \$676,251,000 and 9,996 full-time equivalent positions from local funds, \$87,385,000 and 1,227 full-time equivalent positions from Federal funds, \$21,719,000 and 234 full-time equivalent positions from other funds, and \$9,846,000 and 213 full-time equivalent positions from intra-District funds), to be allocated as follows: \$580,996,000 and 10,167 full-time equivalent positions (including \$498,310,000 and 9,014 full-time equivalent positions from local funds, \$75,786,000 and 1,058 full-time equivalent positions from Federal funds, \$4,343,000 and 44 full-time equivalent positions from other funds, and \$2,557,000 and 51 full-time equivalent positions from intra-District funds), for the public schools of the District of Columbia; \$111,800,000 (including \$111,000,000 from local funds and \$800,000 from intra-District funds) shall be allocated for the District of Columbia Teachers' Retirement Fund; \$79,396,000 and 1,079 full-time equivalent positions (including \$45,377,000 and 572 full-time equivalent positions from local funds, \$10,611,000 and 156 full-time equivalent positions from Federal funds, \$16,922,000 and 189 full-time equivalent positions from other funds, and \$6,486,000 and 162 full-time



equivalent positions from intra-District funds) for the University of the District of Columbia; \$20,742,000 and 415 full-time equivalent positions (including \$19,839,000 and 408 full-time equivalent positions from local funds, \$446,000 and 6 full-time equivalent positions from Federal funds, \$454,000 and 1 full-time equivalent position from other funds, and \$3,000 from intra-District funds) for the Public Library; \$2,267,000 and 9 full-time equivalent positions (including \$1,725,000 and 2 full-time equivalent positions from local funds and \$542,000 and 7 full-time equivalent positions from Federal funds) for the Commission on the Arts and Humanities: Provided, That the public schools of the District of Columbia are authorized to accept not to exceed 31 motor vehicles for exclusive use in the driver education program: Provided further, That not to exceed \$2,500 for the Superintendent of Schools, \$2,500 for the President of the University of the District of Columbia, and \$2,000 for the Public Librarian shall be available from this appropriation for expenditures for official purposes: Provided further, That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 1996, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area.

#### HUMAN SUPPORT SERVICES

Human support services, \$1,855,014,000 and 6,469 full-time equivalent positions (end-of-year) (including \$1,076,856,000 and 3,650 full-time equivalent positions from local funds, \$726,685,000 and 2,639 full-time equivalent positions from Federal funds, \$46,799,000 and 66 full-time equivalent positions from other funds, and \$4,674,000 and 114 full-time equivalent positions from intra-District funds): Provided, That \$26,000,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: Provided further, That the District shall not provide free government services such as water, sewer, solid waste disposal or collection, utilities, maintenance, repairs, or similar services to any legally constituted private nonprofit organization (as defined in section 411(5) of Public Law 100-77, approved July 22, 1987) providing emergency shelter services in the District, if the District would not be qualified to receive reimbursement pursuant to the Stewart B. McKinney Homeless Assistance Act, approved July 22, 1987 (101 Stat. 485; Public Law 100-77; 42 U.S.C. 11301 et seq.).

#### PUBLIC WORKS

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and purchase of passenger-carrying vehicles for replacement only, \$297,568,000 and 1,914 full-time equivalent positions (end-of-year) (including \$225,915,000 and 1,158 full-time equivalent positions from local funds, \$2,682,000 and 32 full-time equivalent positions from Federal funds, \$18,342,000 and 68 full-time equivalent positions from other funds, and \$50,629,000 and 656 full-time equivalent positions from intra-District funds): Provided, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business.

#### WASHINGTON CONVENTION CENTER FUND TRANSFER PAYMENT

For payment to the Washington Convention Center Enterprise Fund, \$5,400,000 from local funds.

#### REPAYMENT OF LOANS AND INTEREST

For reimbursement to the United States of funds loaned in compliance with An Act to pro-

vide for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, approved August 7, 1946 (60 Stat. 896; Public Law 79-648); section 1 of An Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City, approved June 6, 1958 (72 Stat. 183; Public Law 85-451; D.C. Code, sec. 9-219); section 4 of An Act to authorize the Commissioners of the District of Columbia to plan, construct, operate, and maintain a sanitary sewer to connect the Dulles International Airport with the District of Columbia system, approved June 12, 1960 (74 Stat. 211; Public Law 86-515); sections 723 and 743(f) of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973, as amended (87 Stat. 821; Public Law 93-198; D.C. Code, sec. 47-321, note; 91 Stat. 1156; Public Law 95-131; D.C. Code, sec. 9-219, note), including interest as required thereby, \$327,787,000 from local funds.

#### REPAYMENT OF GENERAL FUND RECOVERY DEBT

For the purpose of eliminating the \$331,589,000 general fund accumulated deficit as of September 30, 1990, \$38,678,000 from local funds, as authorized by section 461(a) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973, as amended (105 Stat. 540; Public Law 102-106; D.C. Code, sec. 47-321(a)).

#### PAYMENT OF INTEREST ON SHORT-TERM BORROWING

For payment of interest on short-term borrowing, \$9,698,000 from local funds.

#### PAY RENEGOTIATION OR REDUCTION IN COMPENSATION

The Mayor shall reduce appropriations and expenditures for personal services in the amount of \$46,409,000, by decreasing rates of compensation for District government employees; such decreased rates are to be realized from employees who are subject to collective bargaining agreements to the extent possible through the renegotiation of existing collective bargaining agreements: Provided, That, if a sufficient reduction from employees who are subject to collective bargaining agreements is not realized through renegotiating existing agreements, the Mayor shall decrease rates of compensation for such employees, notwithstanding the provisions of any collective bargaining agreements: Provided further, That the Congress hereby ratifies and approves legislation enacted by the Council of the District of Columbia during fiscal year 1995 to reduce the compensation and benefits of all employees of the District of Columbia government during that fiscal year: Provided further, That notwithstanding any other provision of law, the legislation enacted by the Council of the District of Columbia during fiscal year 1995 to reduce the compensation and benefits of all employees of the District of Columbia government during that fiscal year shall be deemed to have been ratified and approved by the Congress during fiscal year 1995.

#### RAINY DAY FUND

For mandatory unavoidable expenditures within one or several of the various appropriation headings of this Act, to be allocated to the budgets for personal services and nonpersonal services as requested by the Mayor and approved by the Council pursuant to the procedures in section 4 of the Reprogramming Policy Act of 1980, effective September 16, 1980 (D.C. Law 3-100; D.C. Code, sec. 47-363), \$4,563,000 from local funds: Provided, That the District of Columbia shall provide to the Committees on Appropriations of the House of Representatives and the Senate quarterly reports by the 15th day of the month following the end of the quarter showing how monies provided under this fund are expended with a final report providing

a full accounting of the fund due October 15, 1996 or not later than 15 days after the last amount remaining in the fund is disbursed.

#### INCENTIVE BUYOUT PROGRAM

For the purpose of funding costs associated with the incentive buyout program, to be apportioned by the Mayor of the District of Columbia within the various appropriation headings in this Act from which costs are properly payable, \$19,000,000.

#### OUTPLACEMENT SERVICES

For the purpose of funding outplacement services for employees who leave the District of Columbia government involuntarily, \$1,500,000.

#### BOARDS AND COMMISSIONS

The Mayor shall reduce appropriations and expenditures for boards and commissions under the various headings in this title in the amount of \$500,000: Provided, That this provision shall not apply to any board or commission established under title II of this Act.

#### GOVERNMENT RE-ENGINEERING PROGRAM

The Mayor shall reduce appropriations and expenditures for personal and nonpersonal services in the amount of \$16,000,000 within one or several of the various appropriation headings in this Title.

#### CAPITAL OUTLAY

##### (INCLUDING RESCISSIONS)

For construction projects, \$168,222,000 (including \$82,850,000 from local funds and \$85,372,000 from Federal funds), as authorized by An Act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes, approved April 22, 1904 (33 Stat. 244; Public Law 58-140; D.C. Code, secs. 43-1512 through 43-1519); the District of Columbia Public Works Act of 1954, approved May 18, 1954 (68 Stat. 101; Public Law 83-364); An Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City, approved June 6, 1958 (72 Stat. 183; Public Law 85-451); including acquisition of sites, preparation of plans and specifications, conducting preliminary surveys, erection of structures, including building improvement and alteration and treatment of grounds, to remain available until expended: Provided, That \$105,660,000 from local funds appropriated under this heading in prior fiscal years is rescinded: Provided further, That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: Provided further, That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended: Provided further, That notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal-Aid Highway Act of 1968, approved August 23, 1968 (82 Stat. 827; Public Law 90-495; D.C. Code, sec. 7-134, note), for which funds are provided by this appropriation title, shall expire on September 30, 1997, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 1997: Provided further, That upon expiration of any such project authorization the funds provided herein for the project shall lapse.

#### WATER AND SEWER ENTERPRISE FUND

For the Water and Sewer Enterprise Fund, \$242,253,000 and 1,024 full-time equivalent positions (end-of-year) (including \$237,076,000 and 924 full-time equivalent positions from local funds, \$433,000 from other funds, and \$4,744,000 and 100 full-time equivalent positions from intra-District funds), of which \$41,036,000 shall be apportioned and payable to the debt service fund for repayment of loans and interest incurred for capital improvement projects.

For construction projects, \$39,477,000 from Federal funds, as authorized by An Act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes, approved April 22, 1904 (33 Stat. 244; Public Law 58-140; D.C. Code, sec. 43-1512 et seq.): Provided, That the requirements and restrictions that are applicable to general fund capital improvement projects and set forth in this Act under the Capital Outlay appropriation title shall apply to projects approved under this appropriation title.

#### LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriation Act for the fiscal year ending September 30, 1982, approved December 4, 1981 (95 Stat. 1174, 1175; Public Law 97-91), as amended, for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Code, secs. 2-2501 et seq. and 22-1516 et seq.), \$229,950,000 and 88 full-time equivalent positions (end-of-year) (including \$7,950,000 and 88 full-time equivalent positions for administrative expenses and \$222,000,000 for non-administrative expenses from revenue generated by the Lottery Board), to be derived from non-Federal District of Columbia revenues: Provided, That the District of Columbia shall identify the source of funding for this appropriation title from the District's own locally-generated revenues: Provided further, That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

#### CABLE TELEVISION ENTERPRISE FUND

For the Cable Television Enterprise Fund, established by the Cable Television Communications Act of 1981, effective October 22, 1983 (D.C. Law 5-36; D.C. Code, sec. 43-1801 et seq.), \$2,351,000 and 8 full-time equivalent positions (end-of-year) (including \$2,019,000 and 8 full-time equivalent positions from local funds and \$332,000 from other funds), of which \$572,000 shall be transferred to the general fund of the District of Columbia.

#### STARPLEX FUND

For the Starplex Fund, \$6,580,000 from other funds for the expenses incurred by the Armory Board in the exercise of its powers granted by An Act To Establish A District of Columbia Armory Board, and for other purposes, approved June 4, 1948 (62 Stat. 339; D.C. Code, sec. 2-301 et seq.) and the District of Columbia Stadium Act of 1957, approved September 7, 1957 (71 Stat. 619; Public Law 85-300; D.C. Code, sec. 2-321 et seq.): Provided, That the Mayor shall submit a budget for the Armory Board for the forthcoming fiscal year as required by section 442(b) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 824; Public Law 93-198; D.C. Code, sec. 47-301(b)).

#### D.C. GENERAL HOSPITAL

For the District of Columbia General Hospital, established by Reorganization Order No. 57 of the Board of Commissioners, effective August 15, 1953, \$115,034,000, of which \$56,735,000 shall be derived by transfer as intra-District funds from the general fund, \$52,684,000 is to be derived from the other funds, and \$5,615,000 is to be derived from intra-District funds.

#### D.C. RETIREMENT BOARD

For the D.C. Retirement Board, established by section 121 of the District of Columbia Retirement Reform Act of 1989, approved November 17, 1989 (93 Stat. 866; D.C. Code, sec. 1-711), \$13,440,000 and 11 full-time equivalent positions (end-of-year) from the earnings of the applicable retirement funds to pay legal, management,

investment, and other fees and administrative expenses of the District of Columbia Retirement Board: Provided, That the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: Provided further, That the District of Columbia Retirement Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an item accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report.

#### CORRECTIONAL INDUSTRIES FUND

For the Correctional Industries Fund, established by the District of Columbia Correctional Industries Establishment Act, approved October 3, 1964 (78 Stat. 1000; Public Law 88-622), \$10,516,000 and 66 full-time equivalent positions (end-of-year) (including \$3,415,000 and 22 full-time equivalent positions from other funds and \$7,101,000 and 44 full-time equivalent positions from intra-District funds).

#### WASHINGTON CONVENTION CENTER ENTERPRISE FUND

For the Washington Convention Center Enterprise Fund, \$37,957,000, of which \$5,400,000 shall be derived by transfer from the general fund.

#### DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY

For the District of Columbia Financial Responsibility and Management Assistance Authority, established by section 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 97; Public Law 104-8), \$3,500,000.

#### PERSONAL AND NONPERSONAL SERVICES ADJUSTMENTS

Notwithstanding any other provision of law, the Chief Financial Officer established under section 302 of Public Law 104-8, approved April 17, 1995 (109 Stat. 142) shall, on behalf of the Mayor, adjust appropriations and expenditures for personal and nonpersonal services, together with the related full-time equivalent positions, in accordance with the direction of the District of Columbia Financial Responsibility and Management Assistance Authority such that there is a net reduction of \$150,907,000, within or among one or several of the various appropriation headings in this Title, pursuant to section 208 of Public Law 104-8, approved April 17, 1995 (109 Stat. 134).

#### GENERAL PROVISIONS

SEC. 101. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 102. Except as otherwise provided in this Act, all vouchers covering expenditures of appropriations contained in this Act shall be audited before payment by the designated certifying official and the vouchers as approved shall be paid by checks issued by the designated disbursing official.

SEC. 103. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 104. Appropriations in this Act shall be available, when authorized by the Mayor, for allowances for privately owned automobiles and motorcycles used for the performance of official duties at rates established by the Mayor: Provided, That such rates shall not exceed the max-

imum prevailing rates for such vehicles as prescribed in the Federal Property Management Regulations 101-7 (Federal Travel Regulations).

SEC. 105. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor: Provided, That the Council of the District of Columbia and the District of Columbia Courts may expend such funds without authorization by the Mayor.

SEC. 106. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments that have been entered against the District of Columbia government: Provided, That nothing contained in this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947, approved March 31, 1956 (70 Stat. 78; Public Law 84-460; D.C. Code, sec. 47-1812.11(c)(3)).

SEC. 107. Appropriations in this Act shall be available for the payment of public assistance without reference to the requirement of section 544 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Code, sec. 3-205.44), and for the non-Federal share of funds necessary to qualify for Federal assistance under the Juvenile Delinquency Prevention and Control Act of 1968, approved July 31, 1968 (82 Stat. 462; Public Law 90-445, 42 U.S.C. 3801 et seq.).

SEC. 108. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 109. No funds appropriated in this Act for the District of Columbia government for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community or partisan political group during non-school hours.

SEC. 110. The annual budget for the District of Columbia government for the fiscal year ending September 30, 1997, shall be transmitted to the Congress no later than April 15, 1996 or as provided for under the provisions of Public Law 104-8, approved April 17, 1995.

SEC. 111. None of the funds appropriated in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name, title, grade, salary, past work experience, and salary history are not available for inspection by the House and Senate Committees on Appropriations, the House Committee on Government Reform and Oversight, District of Columbia Subcommittee, the Subcommittee on Oversight of Government Management, of the Senate Committee on Governmental Affairs, and the Council of the District of Columbia, or their duly authorized representative: Provided, That none of the funds contained in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name and salary are not available for public inspection.

SEC. 112. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making payments authorized by the District of Columbia Revenue Recovery Act of 1977, effective September 23, 1977 (D.C. Law 2-20; D.C. Code, sec. 47-421 et seq.).

SEC. 113. No part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 114. At the start of the fiscal year, the Mayor shall develop an annual plan, by quarter and by project, for capital outlay borrowings: Provided, That within a reasonable time after

the close of each quarter, the Mayor shall report to the Council of the District of Columbia and the Congress the actual borrowings and spending progress compared with projections.

SEC. 115. The Mayor shall not borrow any funds for capital projects unless the Mayor has obtained prior approval from the Council of the District of Columbia, by resolution, identifying the projects and amounts to be financed with such borrowings.

SEC. 116. The Mayor shall not expend any moneys borrowed for capital projects for the operating expenses of the District of Columbia government.

SEC. 117. None of the funds appropriated by this Act may be obligated or expended by reprogramming except pursuant to advance approval of the reprogramming granted according to the procedure set forth in the Joint Explanatory Statement of the Committee of Conference (House Report No. 96-443), which accompanied the District of Columbia Appropriation Act, 1980, approved October 30, 1979 (93 Stat. 713; Public Law 96-93), as modified in House Report No. 98-265, and in accordance with the Reprogramming Policy Act of 1980, effective September 16, 1980 (D.C. Law 3-100; D.C. Code, sec. 47-361 et seq.); Provided, That for the fiscal year ending September 30, 1996 the above shall apply except as modified by Public Law 104-8.

SEC. 118. None of the Federal funds provided in this Act shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of the District of Columbia.

SEC. 119. None of the Federal Funds provided in this Act shall be obligated or expended to procure passenger automobiles as defined in the Automobile Fuel Efficiency Act of 1980, approved October 10, 1980 (94 Stat. 1824; Public Law 96-425; 15 U.S.C. 2001(2)), with an Environmental Protection Agency estimated miles per gallon average of less than 22 miles per gallon: Provided, That this section shall not apply to security, emergency rescue, or armored vehicles.

SEC. 120. (a) Notwithstanding section 422(7) of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-242(7)), the City Administrator shall be paid, during any fiscal year, a salary at a rate established by the Mayor, not to exceed the rate established for level IV of the Executive Schedule under 5 U.S.C. 5315.

(b) For purposes of applying any provision of law limiting the availability of funds for payment of salary or pay in any fiscal year, the highest rate of pay established by the Mayor under subsection (a) of this section for any position for any period during the last quarter of calendar year 1995 shall be deemed to be the rate of pay payable for that position for September 30, 1995.

(c) Notwithstanding section 4(a) of the District of Columbia Redevelopment Act of 1945, approved August 2, 1946 (60 Stat. 793; Public Law 79-592; D.C. Code, sec. 5-803(a)), the Board of Directors of the District of Columbia Redevelopment Land Agency shall be paid, during any fiscal year, per diem compensation at a rate established by the Mayor.

SEC. 121. Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-601.1 et seq.), enacted pursuant to section 422(3) of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-242(3)), shall apply with respect to the compensation of District of Columbia employees: Provided, That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5 of the United States Code.

SEC. 122. The Director of the Department of Administrative Services may pay rentals and re-

pair, alter, and improve rented premises, without regard to the provisions of section 322 of the Economy Act of 1932 (Public Law 72-212; 40 U.S.C. 278a), upon a determination by the Director, that by reason of circumstances set forth in such determination, the payment of these rents and the execution of this work, without reference to the limitations of section 322, is advantageous to the District in terms of economy, efficiency, and the District's best interest.

SEC. 123. No later than 30 days after the end of the first quarter of the fiscal year ending September 30, 1996, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia the new fiscal year 1996 revenue estimates as of the end of the first quarter of fiscal year 1996. These estimates shall be used in the budget request for the fiscal year ending September 30, 1997. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 124. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Code, sec. 1-1183.3), except that the District of Columbia Public Schools may renew or extend sole source contracts for which competition is not feasible or practical, provided that the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated Board of Education rules and procedures.

SEC. 125. For purposes of the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99-177), as amended, the term "program, project, and activity" shall be synonymous with and refer specifically to each account appropriating Federal funds in this Act, and any sequestration order shall be applied to each of the accounts rather than to the aggregate total of those accounts: Provided, That sequestration orders shall not be applied to any account that is specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99-177), as amended.

SEC. 126. In the event a sequestration order is issued pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99-177), as amended, after the amounts appropriated to the District of Columbia for the fiscal year involved have been paid to the District of Columbia, the Mayor of the District of Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request therefor from the Secretary of the Treasury, such amounts as are sequestered by the order: Provided, That the sequestration percentage specified in the order shall be applied proportionately to each of the Federal appropriation accounts in this Act that are not specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99-177), as amended.

SEC. 127. For the fiscal year ending September 30, 1996, the District of Columbia shall pay interest on its quarterly payments to the United States that are made more than 60 days from the date of receipt of an itemized statement from the Federal Bureau of Prisons of amounts due for housing District of Columbia convicts in Federal penitentiaries for the preceding quarter.

SEC. 128. Nothing in this Act shall be construed to authorize any office, agency or entity to expend funds for programs or functions for which a reorganization plan is required but has not been approved by the Council pursuant to section 422(12) of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-

242(12)) and the Governmental Reorganization Procedures Act of 1981, effective October 17, 1981 (D.C. Law 4-42; D.C. Code, sec. 1-299.1 to 1-299.7). Appropriations made by this Act for such programs or functions are conditioned on the approval by the Council, prior to October 1, 1995, of the required reorganization plans.

SEC. 129. (a) An entity of the District of Columbia government may accept and use a gift or donation during fiscal year 1996 if—

(1) the Mayor approves the acceptance and use of the gift or donation: Provided, That the Council of the District of Columbia may accept and use gifts without prior approval by the Mayor; and

(2) the entity uses the gift or donation to carry out its authorized functions or duties.

(b) Each entity of the District of Columbia government shall keep accurate and detailed records of the acceptance and use of any gift or donation under subsection (a) of this section, and shall make such records available for audit and public inspection.

(c) For the purposes of this section, the term "entity of the District of Columbia government" includes an independent agency of the District of Columbia.

(d) This section shall not apply to the District of Columbia Board of Education, which may, pursuant to the laws and regulations of the District of Columbia, accept and use gifts to the public schools without prior approval by the Mayor.

SEC. 130. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979, effective March 10, 1981 (D.C. Law 3-171; D.C. Code, sec. 1-113(d)).

#### PROHIBITION AGAINST USE OF FUNDS FOR ABORTIONS

SEC. 131. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

#### PROHIBITION ON DOMESTIC PARTNERS ACT

SEC. 132. No funds made available pursuant to any provision of this Act shall be used to implement or enforce any system of registration of unmarried, cohabiting couples whether they are homosexual, lesbian, or heterosexual, including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples; nor shall any funds made available pursuant to any provision of this Act otherwise be used to implement or enforce D.C. Act 9-188, signed by the Mayor of the District of Columbia on April 15, 1992.

#### COMPENSATION FOR THE COMMISSION ON JUDICIAL DISABILITIES AND TENURE AND FOR THE JUDICIAL NOMINATION COMMISSION

SEC. 133. Sections 431(f) and 433(b)(5) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; Public Law 93-198; D.C. Code, secs. 11-1524 and title 11, App. 433), are amended to read as follows:

(a) Section 431(f) (D.C. Code, sec. 11-1524) is amended to read as follows:

"(f) Members of the Tenure Commission shall serve without compensation for services rendered in connection with their official duties on the Commission."

(b) Section 433(b)(5) (title 11, App. 433) is amended to read as follows:

"(5) Members of the Commission shall serve without compensation for services rendered in connection with their official duties on the Commission."

## MULTIYEAR CONTRACTS

SEC. 134. Section 451 of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 803; Public Law 93-198; D.C. Code, sec. 1-1130), is amended by adding a new subsection (c) to read as follows:

"(c)(1) The District may enter into multiyear contracts to obtain goods and services for which funds would otherwise be available for obligation only within the fiscal year for which appropriated.

"(2) If the funds are not made available for the continuation of such a contract into a subsequent fiscal year, the contract shall be cancelled or terminated, and the cost of cancellation or termination may be paid from—

"(A) appropriations originally available for the performance of the contract concerned;

"(B) appropriations currently available for procurement of the type of acquisition covered by the contract, and not otherwise obligated; or

"(C) funds appropriated for those payments.

"(3) No contract entered into under this section shall be valid unless the Mayor submits the contract to the Council for its approval and the Council approves the contract (in accordance with criteria established by act of the Council). The Council shall be required to take affirmative action to approve the contract within 45 days. If no action is taken to approve the contract within 45 calendar days, the contract shall be deemed disapproved."

## CALCULATED REAL PROPERTY TAX RATE

## RESCISSION AND REAL PROPERTY TAX FREEZE

SEC. 135. The District of Columbia Real Property Tax Revision Act of 1974, approved September 3, 1974 (88 Stat. 1051; D.C. Code, sec. 47-801 et seq.), is amended as follows:

(1) Section 412 (D.C. Code, sec. 47-812) is amended as follows:

(A) Subsection (a) is amended by striking the third and fourth sentences and inserting the following sentences in their place: "If the Council does extend the time for establishing the rates of taxation on real property, it must establish those rates for the tax year by permanent legislation. If the Council does not establish the rates of taxation of real property by October 15, and does not extend the time for establishing rates, the rates of taxation applied for the prior year shall be the rates of taxation applied during the tax year."

(B) A new subsection (a-2) is added to read as follows:

"(a-2) Notwithstanding the provisions of subsection (a) of this section, the real property tax rates for taxable real property in the District of Columbia for the tax year beginning October 1, 1995, and ending September 30, 1996, shall be the same rates in effect for the tax year beginning October 1, 1993, and ending September 30, 1994."

(2) Section 413(c) (D.C. Code, sec. 47-815(c)) is repealed.

## PRISONS INDUSTRIES

SEC. 136. Title 18 U.S.C. 1761(b) is amended by striking the period at the end and inserting the phrase "or not-for-profit organizations." in its place.

## REPORTS ON REDUCTIONS

SEC. 137. Within 120 days of the effective date of this Act, the Mayor shall submit to the Congress and the Council a report delineating the actions taken by the executive to effect the directives of the Council in this Act, including—

(1) negotiations with representatives of collective bargaining units to reduce employee compensation;

(2) actions to restructure existing long-term city debt;

(3) actions to apportion the spending reductions anticipated by the directives of this Act to the executive for unallocated reductions; and

(4) a list of any position that is backfilled including description, title, and salary of the position.

## MONTHLY REPORTING REQUIREMENTS—BOARD OF EDUCATION

SEC. 138. The Board of Education shall submit to the Congress, Mayor, and Council of the District of Columbia no later than fifteen (15) calendar days after the end of each month a report that sets forth—

(1) current month expenditures and obligations, year-to-date expenditures and obligations, and total fiscal year expenditure projections vs. budget broken out on the basis of control center, responsibility center, agency reporting code, and object class, and for all funds, including capital financing.

(2) a breakdown of FTE positions and staff for the most current pay period broken out on the basis of control center, responsibility center, and agency reporting code within each responsibility center, for all funds, including capital funds;

(3) a list of each account for which spending is frozen and the amount of funds frozen, broken out by control center, responsibility center, detailed object, and agency reporting code, and for all funding sources;

(4) a list of all active contracts in excess of \$10,000 annually, which contains; the name of each contractor; the budget to which the contract is charged broken out on the basis of control center, responsibility center, and agency reporting code; and contract identifying codes used by the D.C. Public Schools; payments made in the last month and year-to-date, the total amount of the contract and total payments made for the contract and any modifications, extensions, renewals; and specific modifications made to each contract in the last month;

(5) all reprogramming requests and reports that are required to be, and have been submitted to the Board of Education; and

(6) changes made in the last month to the organizational structure of the D.C. Public Schools, displaying previous and current control centers and responsibility centers, the names of the organizational entities that have been changed, the name of the staff member supervising each entity affected, and the reasons for the structural change.

## MONTHLY REPORTING REQUIREMENTS

## UNIVERSITY OF THE DISTRICT OF COLUMBIA

SEC. 139. The University of the District of Columbia shall submit to the Congress, Mayor, and Council of the District of Columbia no later than fifteen (15) calendar days after the end of each month a report that sets forth—

(1) current month expenditures and obligations, year-to-date expenditures and obligations, and total fiscal year expenditure projections vs. budget broken out on the basis of control center, responsibility center, and object class, and for all funds, including capital financing;

(2) a breakdown of FTE positions and all employees for the most current pay period broken out on the basis of control center, responsibility center, for all funds, including capital funds;

(3) a list of each account for which spending is frozen and the amount of funds frozen, broken out by control center, responsibility center, detailed object, and for all funding sources;

(4) a list of all active contracts in excess of \$10,000 annually, which contains; the name of each contractor; the budget to which the contract is charged broken out on the basis of control center and responsibility center, and contract identifying codes used by the University of the District of Columbia; payments made in the last month and year-to-date, the total amount of the contract and total payments made for the contract and any modifications, extensions, renewals; and specific modifications made to each contract in the last month;

(5) all reprogramming requests and reports that have been made by the University of the District of Columbia within the last month in compliance with applicable law; and

(6) changes in the last month to the organizational structure of the University of the District

of Columbia, displaying previous and current control centers and responsibility centers, the names of the organizational entities that have been changed, the name of the staff member supervising each entity affected, and the reasons for the structural change.

## ANNUAL REPORTING REQUIREMENTS

SEC. 140. (a) The Board of Education of the District of Columbia and the University of the District of Columbia shall annually compile an accurate and verifiable report on the positions and employees in the public school system and the university, respectively. The annual report shall set forth—

(1) the number of validated schedule A positions in the District of Columbia Public Schools and the University of the District of Columbia for fiscal year 1995, fiscal year 1996, and thereafter on full-time equivalent basis, including a compilation of all positions by control center, responsibility center, funding source, position type, position title, pay plan, grade, and annual salary; and

(2) a compilation of all employees in the District of Columbia Public Schools and the University of the District of Columbia as of the preceding December 31, verified as to its accuracy in accordance with the functions that each employee actually performs, by control center, responsibility center, agency reporting code, program (including funding source), activity, location for accounting purposes, job title, grade and classification, annual salary, and position control number.

(b) SUBMISSION. The annual report required by subsection (a) shall be submitted to the Congress, the Mayor, the District of Columbia Council, the Consensus Commission, and the Authority, not later than May 1, 1996, and each February 15 thereafter.

## ANNUAL BUDGETS AND BUDGET REVISIONS

SEC. 141. (a) Not later than October 1, 1995, or within 15 calendar days after the date of the enactment of the District of Columbia Appropriations Act, 1996, whichever occurs later, and each succeeding year, the Board of Education and the University of the District of Columbia shall submit to the appropriate congressional committees, the Mayor, the District of Columbia Council, the Consensus Commission, and the Authority, a revised appropriated funds operating budget for the public school system and the University of the District of Columbia for such fiscal year that is in the total amount of the approved appropriation and that realigns budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

(b) The revised budget required by subsection (a) of this section shall be submitted in the format of the budget that the Board of Education and the University of the District of Columbia submit to the Mayor of the District of Columbia for inclusion in the Mayor's budget submission to the Council of the District of Columbia pursuant to section 442 of the District of Columbia Self-Government and Governmental Reorganization Act, Public Law 93-198, as amended (D.C. Code, sec. 47-301).

## BUDGET APPROVAL

SEC. 142. The Board of Education, the Board of Trustees of the University of the District of Columbia, the Board of Library Trustees, and the Board of Governors of the D.C. School of Law shall vote on and approve their respective annual or revised budgets before submission to the Mayor of the District of Columbia for inclusion in the Mayor's budget submission to the Council of the District of Columbia in accordance with section 442 of the District of Columbia Self-Government and Governmental Reorganization Act, Public Law 93-198, as amended (D.C. Code, sec. 47-301), or before submitting their respective budgets directly to the Council.

## PUBLIC SCHOOL EMPLOYEE EVALUATIONS

SEC. 143. Notwithstanding any other provision of law, rule, or regulation, the evaluation process and instruments for evaluating District of Columbia Public Schools employees shall be a non-negotiable item for collective bargaining purposes.

## POSITION VACANCIES

SEC. 144. (a) No agency, including an independent agency, shall fill a position wholly funded by appropriations authorized by this Act, which is vacant on October 1, 1995, or becomes vacant between October 1, 1995, and September 30, 1996, unless the Mayor or independent agency submits a proposed resolution of intent to fill the vacant position to the Council. The Council shall be required to take affirmative action on the Mayor's resolution within 30 legislative days. If the Council does not affirmatively approve the resolution within 30 legislative days, the resolution shall be deemed disapproved.

(b) No reduction in the number of full-time equivalent positions or reduction-in-force due to privatization or contracting out shall occur if the District of Columbia Financial Responsibility and Management Assistance Authority, established by section 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 97; Public Law 104-8), disallows the full-time equivalent position reduction provided in this act in meeting the maximum ceiling of 35,984 for the fiscal year ending September 30, 1996.

(c) This section shall not prohibit the appropriate personnel authority from filling a vacant position with a District government employee currently occupying a position that is funded with appropriated funds.

(d) This section shall not apply to local school-based teachers, school-based officers, or school-based teachers' aides; or court personnel covered by title 11 of the D.C. Code, except chapter 23.

MODIFICATIONS OF BOARD OF EDUCATION  
REDUCTION-IN-FORCE PROCEDURES

SEC. 145. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, (D.C. Code, sec. 1-601.1 et seq.) is amended—

(1) in section 301 (D.C. Code, sec. 1.603.1)—

(A) by inserting after paragraph (13), the following new paragraph:

“(13A) The term ‘nonschool-based personnel’ means any employee of the District of Columbia public schools who is not based at a local school or who does not provide direct services to individual students.”; and

(B) by inserting after paragraph (15), the following new paragraph:

“(15A) The term ‘school administrators’ means principals, assistant principals, school program directors, coordinators, instructional supervisors, and support personnel of the District of Columbia public schools.”;

(2) in section 801A(b)(2) (D.C. Code, sec. 1-609.1(b)(2)(L))—

(A) by striking “(L) reduction-in-force” and inserting “(L)(i) reduction-in-force”; and

(B) by inserting after subparagraph (L)(i), the following new clause:

“(ii) Notwithstanding any other provision of law, the Board of Education shall not issue rules that require or permit nonschool-based personnel or school administrators to be assigned or reassigned to the same competitive level as classroom teachers.”; and

(3) in section 2402 (D.C. Code, sec. 1-625.2), by adding at the end the following new subsection:

“(f) Notwithstanding any other provision of law, the Board of Education shall not require or permit nonschool-based personnel or school administrators to be assigned or reassigned to the same competitive level as classroom teachers.”.

SEC. 146. (a) Notwithstanding any other provision of law, rule, or regulation, an employee of

the District of Columbia Public Schools shall be—

(1) classified as an Educational Service employee;

(2) placed under the personnel authority of the Board of Education; and

(3) subject to all Board of Education rules.

(b) School-based personnel shall constitute a separate competitive area from nonschool-based personnel who shall not compete with school-based personnel for retention purposes.

SEC. 147. None of the funds provided in this Act may be used directly or indirectly for the renovation of the property located at 227 7th Street Southeast (commonly known as Eastern Market), except that funds provided in this Act may be used for the regular maintenance and upkeep of the current structure and grounds located at such property.

## CAPITAL PROJECT EMPLOYEES

SEC. 148. (a) Not later than 15 days after the end of every fiscal quarter (beginning October 1, 1995), the Mayor shall submit to the Council of the District of Columbia, the District of Columbia Financial Responsibility and Management Assistance Authority, and the Committees on Appropriations of the House of Representatives and the Senate a report with respect to the employees on the capital project budget for the previous quarter.

(b) Each report submitted pursuant to subsection (a) of this section shall include the following information—

(1) a list of all employees by position, title, grade and step;

(2) a job description, including the capital project for which each employee is working;

(3) the date that each employee began working on the capital project and the ending date that each employee completed or is projected to complete work on the capital project; and

(4) a detailed explanation justifying why each employee is being paid with capital funds.

MODIFICATION OF REDUCTION-IN-FORCE  
PROCEDURES

SEC. 149. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-601.1 et seq.), is amended as follows:

(a) Section 2401 (D.C. Code, sec. 1-625.1) is amended by amending the third sentence to read as follows: “A personnel authority may establish lesser competitive areas within an agency on the basis of all or a clearly identifiable segment of an agency's mission or a division or major subdivision of an agency.”.

(b) A new section 2406 is added to read as follows:

“SEC. 2406. Abolishment of positions for Fiscal Year 1996.

“(a) Notwithstanding any other provision of law, regulation, or collective bargaining agreement either in effect or to be negotiated within this legislation is in effect for the fiscal year ending September 30, 1996, each agency head is authorized, within the agency head's discretion, to identify positions for abolishment.

“(b) Prior to August 1, 1996, each personnel authority shall make a final determination that a position within the personnel authority is to be abolished.

“(c) Notwithstanding any rights or procedures established by any other provision of this title, any District government employee, regardless of date of hire, who encumbers a position identified for abolishment shall be separated without competition or assignment rights, except as provided in this section.

“(d) An employee affected by the abolishment of a position pursuant to this section who, but for this section would be entitled to compete for retention, shall be entitled to 1 round of lateral competition pursuant to Chapter 24 of the District of Columbia Personnel Manual, which shall be limited to positions in the employee's competitive level.

“(e) Each employee who is a bona fide resident of the District of Columbia shall have added 5 years to his or her creditable service for reduction-in-force purposes. For purposes of this subsection only, a nonresident District employee who was hired by the District government prior to January 1, 1980, and has not had a break in service since that date, or a former employee of the U.S. Department of Health and Human Services at Saint Elizabeths Hospital who accepted employment with the District government on October 1, 1987, and has not had a break in service since that date, shall be considered a District resident.

“(f) Each employee selected for separation pursuant to this section shall be given written notice of at least 30 days before the effective date of his or her separation.

“(g) Neither the establishment of a competitive area smaller than an agency, nor the determination that a specific position is to be abolished, nor separation pursuant to this section shall be subject to review except as follows—

“(1) an employee may file a complaint contesting a determination or a separation pursuant to title XV of this Act or section 303 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Code, sec. 1-2543); and

“(2) an employee may file with the Office of Employee Appeals an appeal contesting that the separation procedures of subsections (d) and (f) of this section were not properly applied.

“(h) An employee separated pursuant to this section shall be entitled to severance pay in accordance with title XI of this Act, except that the following shall be included in computing creditable service for severance pay for employees separated pursuant to this section—

“(1) four years for an employee who qualified for veteran's preference under this act, and

“(2) three years for an employee who qualified for residency preference under this act.

“(i) Separation pursuant to this section shall not affect an employee's rights under either the Agency Reemployment Priority Program or the Displaced Employee Program established pursuant to Chapter 24 of the District Personnel Manual.

“(j) The Mayor shall submit to the Council a listing of all positions to be abolished by agency and responsibility center by March 1, 1996, or upon the delivery of termination notices to individual employees.

“(k) Notwithstanding the provisions of section 1708 or section 2402(d), the provisions of this act shall not be deemed negotiable.

“(l) A personnel authority shall cause a 30-day termination notice to be served, no later than September 1, 1996, on any incumbent employee remaining in any position identified to be abolished pursuant to subsection (b) of this section.”.

## OPERATING EXPENSES AND GRANTS

SEC. 150. (a) CEILING ON TOTAL OPERATING EXPENSES.—Notwithstanding any other provision of law, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 1996 under the caption “Division of Expenses” shall not exceed \$4,994,000,000 of which \$165,339,000 shall be from intra-District funds.

(b) ACCEPTANCE AND USE OF GRANTS NOT INCLUDED IN CEILING.—

(1) IN GENERAL.—Notwithstanding subsection (a), the Mayor of the District of Columbia may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(2) REQUIREMENT OF CHIEF FINANCIAL OFFICER REPORT AND FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY APPROVAL.—No such Federal, private, or other grant may be accepted, obligated, or expended pursuant to paragraph (1) until—

(A) the Chief Financial Officer of the District submits to the District of Columbia Financial

Responsibility and Management Assistance Authority established by Public Law 104-8 (109 Stat. 97) a report setting forth detailed information regarding such grant; and

(B) the District of Columbia Financial Responsibility and Management Assistance Authority has reviewed and approved the acceptance, obligation, and expenditure of such grant in accordance with review and approval procedures consistent with the provisions of Public Law 104-8.

(3) PROHIBITION ON SPENDING IN ANTICIPATION OF APPROVAL OR RECEIPT.—No amount may be obligated or expended from the general fund or other funds of the District government in anticipation of the approval or receipt of a grant under paragraph (2)(B) or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such paragraph.

(4) MONTHLY REPORTS.—The Chief Financial Officer of the District shall prepare a monthly report setting forth detailed information regarding all Federal, private, and other grants subject to this subsection. Each such report shall be submitted to the Council of the District of Columbia, and to the Committees on Appropriations of the House of Representatives and the Senate, not later than 15 days after the end of the month covered by the report.

#### DEVELOPMENT OF PLANS REGARDING DISTRICT OF COLUMBIA CORRECTIONS

SEC. 151. (a) PLAN FOR SHORT-TERM IMPROVEMENTS.—

(1) IN GENERAL.—Not later than July 1, 1996, the National Institute of Corrections (acting for and on behalf of the District of Columbia) shall enter into an agreement with a private contractor to develop a plan for short-term improvements in the administration of the District of Columbia Department of Corrections (hereafter referred to as the "Department") and the administration and physical plant of the Lorton Correctional Complex (hereafter referred to as the "Complex") which may be initiated during a period not to exceed 5 months.

(2) CONTENTS OF PLAN.—The plan developed under paragraph (1) shall address the following issues:

(A) The reorganization of the central office of the Department, including the consolidation of units and the redeployment of personnel.

(B) The establishment of a centralized inmate classification unit.

(C) The implementation of a revised classification system for sentenced inmates.

(D) The development of a projection for the number of inmates under the authority of the Department over a 10-year period.

(E) The improvement of Department security operations.

(F) Capital improvements.

(G) The preparation of a methodology for developing and assessing options for the long-term status of the Complex and the Department (consistent with the requirements for the development of plans under subsection (b)).

(H) Other appropriate miscellaneous issues.

(3) SUBMISSION OF PLAN.—Upon completing the plan under paragraph (1) (but in no event later than September 30, 1996), the National Institute of Corrections shall submit the plan to the Mayor of the District of Columbia, the President, Congress, and the District of Columbia Financial Responsibility and Management Assistance Authority.

(b) OPTIONAL PLANS FOR LONG-TERM TREATMENT OF COMPLEX.—

(1) IN GENERAL.—Not later than July 1, 1996, the National Institute of Corrections (acting for and on behalf of the District of Columbia) shall enter into an agreement with a private contractor to develop a series of alternative plans regarding the long-term status of the Complex and the future operations of the Department, including the following:

(A) A separate plan under which the Complex will be closed and inmates transferred to new

facilities constructed and operated by private entities.

(B) A separate plan under which the Complex will remain in operation under the management of the District of Columbia subject to such modifications as the District considers appropriate.

(C) A separate plan under which the Federal government will operate the Complex and inmates will be sentenced and treated in accordance with guidelines applicable to Federal prisoners.

(D) A separate plan under which the Complex will be operated under private management.

(E) Such other plans as the District of Columbia consider appropriate.

(2) REQUIREMENTS FOR PLANS.—Each of the alternative plans developed under paragraph (1) shall meet the following requirements:

(A) The plan shall provide for an appropriate transition period for implementation (not to exceed 5 years) to begin January 1, 1997.

(B) The plan shall specify the extent to which the Department will utilize alternative and cost-effective management methods, including the use of private management and vendors for the operation of the facilities and activities of the Department, including (where appropriate) the Complex.

(C) The plan shall include an implementation schedule specifying timetables for the completion of all significant activities, including site selection for new facilities, design, financing, construction, recruitment and hiring of personnel, training, adoption of new policies and procedures, and the establishment of essential administrative organizational structures to carry out the plan.

(D) In determining the bed capacity required for the Department through 2002, the plan shall use the population projections developed under the plan under subsection (a).

(E) The plan shall identify any Federal or District legislation which is required to be enacted, and any District regulations, policies, or procedures which are required to be adopted, in order for the plan to take effect.

(F) The plan shall take into account any court orders and consent decrees in effect with respect to the Department and shall describe how the plan will enable the District to comply with such orders and decrees.

(G) The plan shall include estimates of the operating and capital expenses for the Department for each year of the plan's transition period, together with the primary assumptions underlying such estimates.

(H) The plan shall require the Mayor of the District of Columbia to submit a semi-annual report to the President, Congress, and the District of Columbia Financial Responsibility and Management Assistance Authority describing the actions taken by the District under the plan, and in addition shall require the Mayor to regularly report to the President, Congress, and the District of Columbia Financial Responsibility and Management Assistance Authority on all measures taken under the plan as soon as such measures are taken.

(I) For each year for which the plan is in effect, the plan shall be consistent with the financial plan and budget for the District of Columbia for the year under subtitle A of title II of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

(3) SUBMISSION OF PLAN.—Upon completing the development of the alternative plans under paragraph (1) (but in no event later than December 31, 1996), the National Institute of Corrections shall submit the plan to the Mayor of the District of Columbia, the President, Congress, and the District of Columbia Financial Responsibility and Management Assistance Authority.

#### CHIEF FINANCIAL OFFICER POWERS

SEC. 152. Notwithstanding any other provision of law, for the fiscal years ending September 30, 1996 and September 30, 1997—

(a) the heads and all personnel of the following offices, together with all other District of Columbia executive branch accounting, budget, and financial management personnel, shall be appointed by, shall serve at the pleasure of, and shall act under the direction and control of the Chief Financial Officer:

The Office of the Treasurer.

The Controller of the District of Columbia.

The Office of the Budget.

The Office of Financial Information Services.

The Department of Finance and Revenue.

The District of Columbia Financial Responsibility and Management Assistance Authority established pursuant to Public Law 104-8, approved April 17, 1995, may remove such individuals from office for cause, after consultation with the Mayor and the Chief Financial Officer.

(b) the Chief Financial Officer shall prepare and submit to the Mayor, for inclusion in the annual budget of the District of Columbia under part D of title IV of the District of Columbia Self-Government and Governmental Reorganization Act of 1993, approved December 24, 1973 (87 Stat. 774; Public Law 93-198), as amended, for fiscal years 1996, 1997 and 1998, annual estimates of the expenditures and appropriations necessary for the operation of the Office of the Chief Financial Officer for the year. All such estimates shall be forwarded by the Mayor to the Council of the District of Columbia for its action pursuant to sections 446 and 603(c) of such Act, without revision but subject to recommendations. Notwithstanding any other provisions of such Act, the Council may comment or make recommendations concerning such estimates, but shall have no authority to revise such estimates.

#### TECHNICAL CORRECTIONS TO FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE ACT

SEC. 153. (a) REQUIRING GSA TO PROVIDE SUPPORT SERVICES.—Section 103(f) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 is amended by striking "may provide" and inserting "shall promptly provide".

(b) AVAILABILITY OF CERTAIN FEDERAL BENEFITS FOR INDIVIDUALS WHO BECOME EMPLOYED BY THE AUTHORITY.—

(1) FORMER FEDERAL EMPLOYEES.—Subsection (e) of section 102 of such Act is amended to read as follows:

"(e) PRESERVATION OF RETIREMENT AND CERTAIN OTHER RIGHTS OF FEDERAL EMPLOYEES WHO BECOME EMPLOYED BY THE AUTHORITY.—

"(I) IN GENERAL.—Any Federal employee who becomes employed by the Authority—

"(A) may elect, for the purposes set forth in paragraph (2)(A), to be treated, for so long as that individual remains continuously employed by the Authority, as if such individual had not separated from service with the Federal Government, subject to paragraph (3); and

"(B) shall, if such employee subsequently becomes reemployed by the Federal Government, be entitled to have such individual's service with the Authority treated, for purposes of determining the appropriate leave accrual rate, as if it had been service with the Federal Government.

"(2) EFFECT OF AN ELECTION.—An election made by an individual under the provisions of paragraph (1)(A)—

"(A) shall qualify such individual for the treatment described in such provisions for purposes of—

"(i) chapter 83 or 84 of title 5, United States Code, as appropriate (relating to retirement), including the Thrift Savings Plan;

"(ii) chapter 87 of such title (relating to life insurance); and

"(iii) chapter 89 of such title (relating to health insurance); and

"(B) shall disqualify such individual, while such election remains in effect, from participating in the programs offered by the government of the District of Columbia (if any) corresponding to the respective programs referred to in subsection (A).



“(3) CONDITIONS FOR AN ELECTION TO BE EFFECTIVE.—An election made by an individual under paragraph (1)(A) shall be ineffective unless—

“(A) it is made before such individual separates from service with the Federal Government; and

“(B) such individual's service with the Authority commences within 3 days after so separating (not counting any holiday observed by the government of the District of Columbia).

“(4) CONTRIBUTIONS.—If an individual makes an election under paragraph (1)(A), the Authority shall, in accordance with applicable provisions of law referred to in paragraph (2)(A), be responsible for making the same deductions from pay and the same agency contributions as would be required if it were a Federal agency.

“(5) REGULATIONS.—Any regulations necessary to carry out this subsection shall be prescribed in consultation with the Authority by—

“(A) the Office of Personnel Management, to the extent that any program administered by the office is involved;

“(B) the appropriate office or agency of the government of the District of Columbia, to the extent that any program administered by such office or agency is involved; and

“(C) the Executive Director referred to in section 8474 of title 5, United States Code, to the extent that the Thrift Savings Plan is involved.”

(2) OTHER INDIVIDUALS.—Section 102 of such Act is further amended by adding at the end the following:

“(f) FEDERAL BENEFITS FOR OTHERS.—

“(1) IN GENERAL.—The Office of Personnel Management, in conjunction with each corresponding office or agency of the government of the District of Columbia and in consultation with the Authority, shall prescribe regulations under which any individual who becomes employed by the Authority (under circumstances other than as described in subsection (e)) may elect either—

“(A) to be deemed a Federal employee for purposes of the programs referred to in subsection (e)(2)(A) (i)–(iii); or

“(B) to participate in 1 or more of the corresponding programs offered by the government of the District of Columbia.

“(2) EFFECT OF AN ELECTION.—An individual who elects the option under subparagraph (A) or (B) of paragraph (1) shall be disqualified, while such election remains in effect, from participating in any of the programs referred to in the other such subparagraph.

“(3) DEFINITION OF ‘CORRESPONDING OFFICE OR AGENCY’.—For purposes of paragraph (1), the term ‘corresponding office or agency of the government of the District of Columbia’ means, with respect to any program administered by the Office of Personnel Management, the office or agency responsible for administering the corresponding program (if any) offered by the government of the District of Columbia.

“(4) THRIFT SAVINGS PLAN.—To the extent that the Thrift Savings Plan is involved, the preceding provisions of this subsection shall be applied by substituting ‘the Executive Director referred to in section 8474 of title 5, United States Code’ for ‘the Office of Personnel Management’.”

(3) Effective date; additional election for former federal employees serving on date of enactment; election for employees appointed during interim period.—

(A) EFFECTIVE DATE.—Not later than 6 months after the date of enactment of this Act, there shall be prescribed in consultation with the Authority (and take effect)—

(i) regulations to carry out the amendments made by this subsection; and

(ii) any other regulations necessary to carry out this subsection.

(B) ADDITIONAL ELECTION FOR FORMER FEDERAL EMPLOYEES SERVING ON DATE OF ENACTMENT.—

(i) IN GENERAL.—Any former Federal employee employed by the Authority on the effective date of the regulations referred to in subparagraph (A)(i) may, within such period as may be provided for under those regulations, make an election similar, to the maximum extent practicable, to the election provided for under section 102(e) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, as amended by this subsection. Such regulations shall be prescribed jointly by the Office of Personnel Management and each corresponding office or agency of the government of the District of Columbia (in the same manner as provided for in section 102(f) of such Act, as so amended).

(ii) EXCEPTION.—An election under this subparagraph may not be made by any individual who—

(I) is not then participating in a retirement system for Federal employees (disregarding Social Security); or

(II) is then participating in any program of the government of the District of Columbia referred to in section 102(e)(2)(B) of such Act (as so amended).

(C) ELECTION FOR EMPLOYEES APPOINTED DURING INTERIM PERIOD.—

(i) FROM THE FEDERAL GOVERNMENT.—Subsection (e) of section 102 of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (as last in effect before the date of enactment of this Act) shall be deemed to have remained in effect for purposes of any Federal employee who becomes employed by the District of Columbia Financial Responsibility and Management Assistance Authority during the period beginning on such date of enactment and ending on the day before the effective date of the regulations prescribed to carry out subparagraph (B).

(ii) OTHER INDIVIDUALS.—The regulations prescribed to carry out subsection (f) of section 102 of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (as amended by this subsection) shall include provisions under which an election under such subsection shall be available to any individual who—

(I) becomes employed by the District of Columbia Financial Responsibility and Management Assistance Authority during the period beginning on the date of enactment of this Act and ending on the day before the effective date of such regulations;

(II) would have been eligible to make an election under such regulations had those regulations been in effect when such individual became so employed; and

(III) is not then participating in any program of the government of the District of Columbia referred to in subsection (f)(1)(B) of such section 102 (as so amended).

(c) EXEMPTION FROM LIABILITY FOR CLAIMS FOR AUTHORITY EMPLOYEES.—Section 104 of such Act is amended—

(1) by striking “the Authority and its members” and inserting “the Authority, its members, and its employees”; and

(2) by striking “the District of Columbia” and inserting “the Authority or its members or employees or the District of Columbia”.

(d) PERMITTING REVIEW OF EMERGENCY LEGISLATION.—Section 203(a)(3) of such Act is amended by striking subparagraph (C).

ESTABLISHMENT OF EXCLUSIVE ACCOUNTS FOR BLUE PLAINS ACTIVITIES

SEC. 154. (a) OPERATION AND MAINTENANCE ACCOUNT.—

(1) CONTENTS OF ACCOUNT.—There is hereby established within the Water and Sewer Enterprise Fund the Operation and Maintenance Account, consisting of all funds paid to the District of Columbia on or after the date of the enactment of this Act which are—

(A) attributable to waste water treatment user charges;

(B) paid by users jurisdictions for the operation and maintenance of the Blue Plains

Wastewater Treatment Facility and related waste water treatment works; or

(C) appropriated or otherwise provided for the operation and maintenance of the Blue Plains Wastewater Treatment Facility and related waste water treatment works.

(2) USE OF FUNDS IN ACCOUNT.—Funds in the Operation and Maintenance Account shall be used solely for funding the operation and maintenance of the Blue Plains Wastewater Treatment Facility and related waste water treatment works and may not be obligated or expended for any other purpose, and may be used for related debt service and capital costs if such funds are not attributable to user charges assessed for purposes of section 204(b)(1) of the Federal Water Pollution Control Act.

(b) EPA GRANT ACCOUNT.—

(1) CONTENTS OF ACCOUNT.—There is hereby established within the Water and Sewer Enterprise Fund and EPA Grant Account, consisting of all funds paid to the District of Columbia on or after the date of the enactment of this Act which are—

(A) attributable to grants from the Environmental Protection Agency for construction at the Blue Plains Wastewater Treatment Facility and related waste water treatment works; or

(B) appropriated or otherwise provided for construction at the Blue Plains Wastewater Treatment Facility and related waste water treatment works.

(2) USE OF FUNDS IN ACCOUNT.—Funds in the EPA Grant Account shall be used solely for the purposes specified under the terms of the grants and appropriations involved, and may not be obligated or expended for any other purpose.

POLICE AND FIRE FIGHTER DISABILITY RETIREMENTS

SEC. 155. (a) Up to 50 police officers and up to 50 Fire and Emergency Medical Services members with less than 20 years of departmental service who were hired before February 14, 1980, and who retire on disability before the end of calendar year 1996 shall be excluded from the computation of the rate of disability retirements under subsection 145(a) of the District of Columbia Retirement Reform Act of 1979 (93 Stat. 882; D.C. Code, sec. 1-725(a)), for purposes of reducing the authorized Federal payment to the District of Columbia Police Officers and Fire Fighters' Retirement Fund pursuant to subsection 145(c) of the District of Columbia Retirement Reform Act of 1979.

(b) The Mayor, within 30 days after the enactment of this provision, shall engage an enrolled actuary, to be paid by the District of Columbia Retirement Board, and shall comply with the requirements of section 142(d) and section 144(d) of the District of Columbia Retirement Reform Act of 1979 (Public Law 96-122, approved November 17, 1979; D.C. Code, secs. 1-722(d) and 1-724(d)).

(c) This section shall not go into effect until 15 days after the Mayor transmits the actuarial report required by section 142(d) of the District of Columbia Retirement Reform Act of 1979 (Public Law 96-122, approved November 17, 1979) to the D.C. Retirement Board, the Speaker of the House of Representatives, and the President pro tempore of the Senate.

CONVEYANCE OF CERTAIN PROPERTY TO ARCHITECT OF THE CAPITOL

SEC. 156. Pursuant to section 1(b)(2) of Public Law 98-340 and in accordance with the agreement entered into between the Architect of the Capitol and the District of Columbia pursuant to such Act (as executed on September 28, 1984), not later than 30 days after the date of the enactment of this Act the District of Columbia shall convey without consideration by general warranty deed to the Architect of the Capitol on behalf of the United States all right, title, and interest of the District of Columbia in the real property (including improvements and appurtenances thereon) within the area known as “D.C. Village” and described in Attachment A of the agreement.



This title may be cited as the "District of Columbia Appropriations Act, 1996".

## TITLE II—DISTRICT OF COLUMBIA SCHOOL REFORM

### SEC. 2001. SHORT TITLE.

This title may be cited as the "District of Columbia School Reform Act of 1995".

### SEC. 2002. DEFINITIONS.

Except as otherwise provided, for purposes of this title:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term "appropriate congressional committees" means—

(A) the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate;

(B) the Committee on Economic and Educational Opportunities of the House of Representatives and the Committee on Labor and Human Resources of the Senate; and

(C) the Committee on Government Reform and Oversight of the House of Representatives and the Committee on Governmental Affairs of the Senate.

(2) **AUTHORITY.**—The term "Authority" means the District of Columbia Financial Responsibility and Management Assistance Authority established under section 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (Public Law 104-8).

(3) **AVERAGE DAILY ATTENDANCE.**—The term "average daily attendance" means the aggregate attendance of students of the school during the period divided by the number of days during the period in which—

(A) the school is in session; and

(B) the students of the school are under the guidance and direction of teachers.

(4) **AVERAGE DAILY MEMBERSHIP.**—The term "average daily membership" means the aggregate enrollment of students of the school during the period divided by the number of days during the period in which—

(A) the school is in session; and

(B) the students of the school are under the guidance and direction of teachers.

(5) **BOARD OF EDUCATION.**—The term "Board of Education" means the Board of Education of the District of Columbia.

(6) **BOARD OF TRUSTEES.**—The term "Board of Trustees" means the governing board of a public charter school, the members of which are selected pursuant to the charter granted to the school and in a manner consistent with this title.

(7) **CONSENSUS COMMISSION.**—The term "Consensus Commission" means the Commission on Consensus Reform in the District of Columbia public schools established under subtitle H.

(8) **CORE CURRICULUM.**—The term "core curriculum" means the concepts, factual knowledge, and skills that students in the District of Columbia should learn in kindergarten through grade 12 in academic content areas, including, at a minimum, English, mathematics, science, and history.

(9) **DISTRICT OF COLUMBIA COUNCIL.**—The term "District of Columbia Council" means the Council of the District of Columbia established pursuant to section 401 of the District of Columbia Self-Government and Governmental Reorganization Act (D.C. Code, sec. 1-221).

(10) **DISTRICT OF COLUMBIA GOVERNMENT.**—

(A) **IN GENERAL.**—The term "District of Columbia Government" means the government of the District of Columbia, including—

(i) any department, agency, or instrumentality of the government of the District of Columbia;

(ii) any independent agency of the District of Columbia established under part F of title IV of the District of Columbia Self-Government and Governmental Reorganization Act;

(iii) any other agency, board, or commission established by the Mayor or the District of Columbia Council;

(iv) the courts of the District of Columbia;

(v) the District of Columbia Council; and

(vi) any other agency, public authority, or public nonprofit corporation that has the authority to receive moneys directly or indirectly from the District of Columbia (other than moneys received from the sale of goods, the provision of services, or the loaning of funds to the District of Columbia).

(B) **EXCEPTION.**—The term "District of Columbia Government" neither includes the Authority nor a public charter school.

(11) **DISTRICT OF COLUMBIA GOVERNMENT RETIREMENT SYSTEM.**—The term "District of Columbia Government retirement system" means the retirement programs authorized by the District of Columbia Council or the Congress for employees of the District of Columbia Government.

(12) **DISTRICT OF COLUMBIA PUBLIC SCHOOL.**—

(A) **IN GENERAL.**—The term "District of Columbia public school" means a public school in the District of Columbia that offers classes—

(i) at any of the grade levels from prekindergarten through grade 12; or

(ii) leading to a secondary school diploma, or its recognized equivalent.

(B) **EXCEPTION.**—The term "District of Columbia public school" does not include a public charter school.

(13) **DISTRICTWIDE ASSESSMENTS.**—The term "districtwide assessments" means a variety of assessment tools and strategies (including individual student assessments under subparagraph (E)(ii)) administered by the Superintendent to students enrolled in District of Columbia public schools and public charter schools that—

(A) are aligned with the District of Columbia's content standards and core curriculum;

(B) provide coherent information about student attainment of such standards;

(C) are used for purposes for which such assessments are valid, reliable, and unbiased, and are consistent with relevant nationally recognized professional and technical standards for such assessments;

(D) involve multiple up-to-date measures of student performance, including measures that assess higher order thinking skills and understanding; and

(E) provide for—

(i) the participation in such assessments of all students;

(ii) individual student assessments for students that fail to reach minimum acceptable levels of performance;

(iii) the reasonable adaptations and accommodations for students with special needs (as defined in paragraph (32)) necessary to measure the achievement of such students relative to the District of Columbia's content standards; and

(iv) the inclusion of limited-English proficient students, who shall be assessed, to the extent practicable, in the language and form most likely to yield accurate and reliable information regarding such students' knowledge and abilities.

(14) **ELECTRONIC DATA TRANSFER SYSTEM.**—The term "electronic data transfer system" means a computer-based process for the maintenance and transfer of student records designed to permit the transfer of individual student records among District of Columbia public schools and public charter schools.

(15) **ELEMENTARY SCHOOL.**—The term "elementary school" means an institutional day or residential school that provides elementary education, as determined under District of Columbia law.

(16) **ELIGIBLE APPLICANT.**—The term "eligible applicant" means a person, including a private, public, or quasi-public entity, or an institution of higher education (as defined in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a))), that seeks to establish a public charter school in the District of Columbia.

(17) **ELIGIBLE CHARTERING AUTHORITY.**—The term "eligible chartering authority" means any of the following:

(A) The Board of Education.

(B) The Public Charter School Board.

(C) Any one entity designated as an eligible chartering authority by enactment of a bill by the District of Columbia Council after the date of the enactment of this Act.

(18) **FAMILY RESOURCE CENTER.**—The term "family resource center" means an information desk—

(A) located in a District of Columbia public school or a public charter school serving a majority of students whose family income is not greater than 185 percent of the income official poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act applicable to a family of the size involved (42 U.S.C. 9902(3))); and

(B) which links students and families to local resources and public and private entities involved in child care, adult education, health and social services, tutoring, mentoring, and job training.

(19) **INDIVIDUAL CAREER PATH.**—The term "individual career path" means a program of study that provides a secondary school student the skills necessary to compete in the 21st century workforce.

(20) **LITERACY.**—The term "literacy" means—

(A) in the case of a minor student, such student's ability to read, write, and speak in English, and compute and solve problems at levels of proficiency necessary to function in society, to achieve such student's goals, and develop such student's knowledge and potential; and

(B) in the case of an adult, such adult's ability to read, write, and speak in English, and compute and solve problems at levels of proficiency necessary to function on the job and in society, to achieve such adult's goals, and develop such adult's knowledge and potential.

(21) **LONG-TERM REFORM PLAN.**—The term "long-term reform plan" means the plan submitted by the Superintendent under section 2101.

(22) **MAYOR.**—The term "Mayor" means the Mayor of the District of Columbia.

(23) **METROBUS AND METRORAIL TRANSIT SYSTEM.**—The term "Metrobus and Metrorail Transit System" means the bus and rail systems administered by the Washington Metropolitan Area Transit Authority.

(24) **MINOR STUDENT.**—The term "minor student" means an individual who—

(A) is enrolled in a District of Columbia public school or a public charter school; and

(B) is not beyond the age of compulsory school attendance, as prescribed in section 1 of article I, and section 1 of article II, of the Act of February 4, 1925 (sections 31-401 and 31-402, D.C. Code).

(25) **NONRESIDENT STUDENT.**—The term "non-resident student" means—

(A) an individual under the age of 18 who is enrolled in a District of Columbia public school or a public charter school, and does not have a parent residing in the District of Columbia; or

(B) an individual who is age 18 or older and is enrolled in a District of Columbia public school or public charter school, and does not reside in the District of Columbia.

(26) **PARENT.**—The term "parent" means a person who has custody of a child, and who—

(A) is a natural parent of the child;

(B) is a stepparent of the child;

(C) has adopted the child; or

(D) is appointed as a guardian for the child by a court of competent jurisdiction.

(27) **PETITION.**—The term "petition" means a written application.

(28) **PROMOTION GATE.**—The term "promotion gate" means the criteria, developed by the Superintendent and approved by the Board of Education, that are used to determine student promotion at different grade levels. Such criteria shall include student achievement on districtwide assessments established under subtitle C.

(29) **PUBLIC CHARTER SCHOOL.**—The term "public charter school" means a publicly funded school in the District of Columbia that—

(A) is established pursuant to subtitle B; and  
(B) except as provided under sections 2212(d)(5) and 2213(c)(5) is not a part of the District of Columbia public schools.

(30) **PUBLIC CHARTER SCHOOL BOARD.**—The term "Public Charter School Board" means the Public Charter School Board established under section 2214.

(31) **SECONDARY SCHOOL.**—The term "secondary school" means an institutional day or residential school that provides secondary education, as determined by District of Columbia law, except that such term does not include any education beyond grade 12.

(32) **STUDENT WITH SPECIAL NEEDS.**—The term "student with special needs" means a student who is a child with a disability as provided in section 602(a)(1) of the Individuals with Disabilities Education Act (20 U.S.C. 1401(a)(1)) or a student who is an individual with a disability as provided in section 7(8) of the Rehabilitation Act of 1973 (29 U.S.C. 706(8)).

(33) **SUPERINTENDENT.**—The term "Superintendent" means the Superintendent of the District of Columbia public schools.

(34) **TEACHER.**—The term "teacher" means any person employed as a teacher by the Board of Education or by a public charter school.

#### **SEC. 2003. GENERAL EFFECTIVE DATE.**

Except as otherwise provided in this title, this title shall be effective during the period beginning on the date of enactment of this Act and ending 5 years after such date.

#### **Subtitle A—District of Columbia Reform Plan**

##### **SEC. 2101. LONG-TERM REFORM PLAN.**

(a) **IN GENERAL.**—

(1) **PLAN.**—The Superintendent, with the approval of the Board of Education, shall submit to the Mayor, the District of Columbia Council, the Authority, the Consensus Commission, and the appropriate congressional committees, a long-term reform plan, not later than 90 days after the date of enactment of this Act, and each February 15 thereafter. The long-term reform plan shall be consistent with the financial plan and budget for the District of Columbia for fiscal year 1996, and each financial plan and budget for a subsequent fiscal year, as the case may be, required under section 201 of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

(2) **CONSULTATION.**—

(A) **IN GENERAL.**—In developing the long-term reform plan, the Superintendent—

(i) shall consult with the Board of Education, the Mayor, the District of Columbia Council, the Authority, and the Consensus Commission; and  
(ii) shall afford the public, interested organizations, and groups an opportunity to present their views and make recommendations regarding the long-term reform plan.

(B) **SUMMARY OF RECOMMENDATIONS.**—The Superintendent shall include in the long-term plan a summary of the recommendations made under subparagraph (A)(ii) and the response of the Superintendent to the recommendations.

(b) **CONTENTS.**—

(1) **AREAS TO BE ADDRESSED.**—The long-term reform plan shall describe how the District of Columbia public schools will become a world-class education system that prepares students for lifetime learning in the 21st century and which is on a par with the best education systems of other cities, States, and nations. The long-term reform plan shall include a description of how the District of Columbia public schools will accomplish the following:

(A) Achievement at nationally and internationally competitive levels by students attending District of Columbia public schools.

(B) The preparation of students for the workforce, including—

(i) providing special emphasis for students planning to obtain a postsecondary education; and

(ii) the development of individual career paths.

(C) The improvement of the health and safety of students in District of Columbia public schools.

(D) Local school governance, decentralization, autonomy, and parental choice among District of Columbia public schools.

(E) The implementation of a comprehensive and effective adult education and literacy program.

(F) The identification, beginning in grade 3, of each student who does not meet minimum standards of academic achievement in reading, writing, and mathematics in order to ensure that such student meets such standards prior to grade promotion.

(G) The achievement of literacy, and the possession of the knowledge and skills necessary to think critically, communicate effectively, and perform competently on districtwide assessments, by students attending District of Columbia public schools prior to such student's completion of grade 8.

(H) The establishment of after-school programs that promote self-confidence, self-discipline, self-respect, good citizenship, and respect for leaders, through such activities as arts classes, physical fitness programs, and community service.

(I) Steps necessary to establish an electronic data transfer system.

(J) Encourage parental involvement in all school activities, particularly parent teacher conferences.

(K) Development and implementation, through the Board of Education and the Superintendent, of a uniform dress code for the District of Columbia public schools, that—

(i) shall include a prohibition of gang membership symbols;

(ii) shall take into account the relative costs of any such code for each student; and

(iii) may include a requirement that students wear uniforms.

(L) The establishment of classes, beginning not later than grade 3, to teach students how to use computers effectively.

(M) The development of community schools that enable District of Columbia public schools to collaborate with other public and nonprofit agencies and organizations, local businesses, recreational, cultural, and other community and human service entities, for the purpose of meeting the needs and expanding the opportunities available to residents of the communities served by such schools.

(N) The establishment of programs which provide counseling, mentoring (especially peer mentoring), academic support, outreach, and supportive services to elementary, middle, and secondary school students who are at risk of dropping out of school.

(O) The establishment of a comprehensive remedial education program to assist students who do not meet basic literacy standards, or the criteria of promotion gates established in section 2321.

(P) The establishment of leadership development projects for middle school principals, which projects shall increase student learning and achievement and strengthen such principals as instructional school leaders.

(Q) The implementation of a policy for performance-based evaluation of principals and teachers, after consultation with the Superintendent and unions (including unions that represent teachers and unions that represent principals).

(R) The implementation of policies that require competitive appointments for all District of Columbia public school positions.

(S) The implementation of policies regarding alternative teacher certification requirements.

(T) The implementation of testing requirements for teacher licensing renewal.

(U) A review of the District of Columbia public school central office budget and staffing reductions for each fiscal year compared to the level of such budget and reductions at the end of fiscal year 1995.

(V) The implementation of the discipline policy for the District of Columbia public schools in order to ensure a safe, disciplined environment conducive to learning.

(2) **OTHER INFORMATION.**—For each of the items described in subparagraphs (A) through (V) of paragraph (1), the long-term reform plan shall include—

(A) a statement of measurable, objective performance goals;

(B) a description of the measures of performance to be used in determining whether the Superintendent and Board of Education have met the goals;

(C) dates by which the goals shall be met;

(D) plans for monitoring and reporting progress to District of Columbia residents, the Mayor, the District of Columbia Council, the Authority, the Consensus Commission, and the appropriate congressional committees regarding the carrying out of the long-term reform plan; and

(E) the title of the management employee of the District of Columbia public schools most directly responsible for the achievement of each goal and, with respect to each such employee, the title of the employee's immediate supervisor or superior.

(c) **AMENDMENTS.**—The Superintendent, with the approval of the Board of Education, shall submit any amendment to the long-term reform plan to the Mayor, the District of Columbia Council, the Authority, the Consensus Commission, and the appropriate congressional committees. Any amendment to the long-term reform plan shall be consistent with the financial plan and budget for fiscal year 1996, and each financial plan and budget for a subsequent fiscal year, as the case may be, for the District of Columbia required under section 201 of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

##### **SEC. 2102. SUPERINTENDENT'S REPORT ON REFORMS.**

Not later than December 1, 1996, the Superintendent shall submit to the appropriate congressional committees, the Board of Education, the Mayor, the Consensus Commission, and the District of Columbia Council a report regarding the progress of the District of Columbia public schools toward achieving the goals of the long-term reform plan.

##### **SEC. 2103. DISTRICT OF COLUMBIA COUNCIL REPORT.**

Not later than April 1, 1997, the Chairperson of the District of Columbia Council shall submit to the appropriate congressional committees a report describing legislative and other actions the District of Columbia Council has taken or will take to facilitate the implementation of the goals of the long-term reform plan.

#### **Subtitle B—Public Charter Schools**

##### **SEC. 2201. PROCESS FOR FILING CHARTER PETITIONS.**

(a) **EXISTING PUBLIC SCHOOL.**—An eligible applicant seeking to convert a District of Columbia public school into a public charter school—

(1) shall prepare a petition to establish a public charter school that meets the requirements of section 2202;

(2) shall provide a copy of the petition to—

(A) the parents of minor students attending the existing school;

(B) adult students attending the existing school; and

(C) employees of the existing school; and

(3) shall file the petition with an eligible chartering authority for approval after the petition—

(A) is signed by two-thirds of the sum of—

(i) the total number of parents of minor students attending the school; and

(ii) the total number of adult students attending the school; and

(B) is endorsed by at least two-thirds of full-time teachers employed in the school.

(b) **PRIVATE OR INDEPENDENT SCHOOL.**—An eligible applicant seeking to convert an existing

private or independent school in the District of Columbia into a public charter school—

(1) shall prepare a petition to establish a public charter school that is approved by the Board of Trustees or authority responsible for the school and that meets the requirements of section 2202;

(2) shall provide a copy of the petition to—

(A) the parents of minor students attending the existing school;

(B) adult students attending the existing school; and

(C) employees of the existing school; and

(3) shall file the petition with an eligible chartering authority for approval after the petition—

(A) is signed by two-thirds of the sum of—

(i) the total number of parents of minor students attending the school; and

(ii) the total number of adult students attending the school; and

(B) is endorsed by at least two-thirds of full-time teachers employed in the school.

(c) **NEW SCHOOL.**—An eligible applicant seeking to establish in the District of Columbia a public charter school, but not seeking to convert a District of Columbia public school or a private or independent school into a public charter school, shall file with an eligible chartering authority for approval a petition to establish a public charter school that meets the requirements of section 2202.

#### **SEC. 2202. CONTENTS OF PETITION.**

A petition under section 2201 to establish a public charter school shall include the following:

(1) A statement defining the mission and goals of the proposed school and the manner in which the school will conduct any districtwide assessments.

(2) A statement of the need for the proposed school in the geographic area of the school site.

(3) A description of the proposed instructional goals and methods for the proposed school, which shall include, at a minimum—

(A) the area of focus of the proposed school, such as mathematics, science, or the arts, if the school will have such a focus;

(B) the methods that will be used, including classroom technology, to provide students with the knowledge, proficiency, and skills needed—

(i) to become nationally and internationally competitive students and educated individuals in the 21st century; and

(ii) to perform competitively on any districtwide assessments; and

(C) the methods that will be used to improve student self-motivation, classroom instruction, and learning for all students.

(4) A description of the scope and size of the proposed school's program that will enable students to successfully achieve the goals established by the school, including the grade levels to be served by the school and the projected and maximum enrollment of each grade level.

(5) A description of the plan for evaluating student academic achievement at the proposed school and the procedures for remedial action that will be used by the school when the academic achievement of a student falls below the expectations of the school.

(6) An operating budget for the first 2 years of the proposed school that is based on anticipated enrollment and contains—

(A) a description of the method for conducting annual audits of the financial, administrative, and programmatic operations of the school;

(B) either—

(i) an identification of the site where the school will be located, including a description of any buildings on the site and any buildings proposed to be constructed on the site; or

(ii) a timetable by which such an identification will be made;

(C) a description of any major contracts planned, with a value equal to or exceeding \$10,000, for equipment and services, leases, im-

provements, purchases of real property, or insurance; and

(D) a timetable for commencing operations as a public charter school.

(7) A description of the proposed rules and policies for governance and operation of the proposed school.

(8) Copies of the proposed articles of incorporation and bylaws of the proposed school.

(9) The names and addresses of the members of the proposed Board of Trustees and the procedures for selecting trustees.

(10) A description of the student enrollment, admission, suspension, expulsion, and other disciplinary policies and procedures of the proposed school, and the criteria for making decisions in such areas.

(11) A description of the procedures the proposed school plans to follow to ensure the health and safety of students, employees, and guests of the school and to comply with applicable health and safety laws, and all applicable civil rights statutes and regulations of the Federal Government and the District of Columbia.

(12) An explanation of the qualifications that will be required of employees of the proposed school.

(13) An identification, and a description, of the individuals and entities submitting the petition, including their names and addresses, and the names of the organizations or corporations of which such individuals are directors or officers.

(14) A description of how parents, teachers, and other members of the community have been involved in the design and will continue to be involved in the implementation of the proposed school.

(15) A description of how parents and teachers will be provided an orientation and other training to ensure their effective participation in the operation of the public charter school.

(16) An assurance the proposed school will seek, obtain, and maintain accreditation from at least one of the following:

(A) The Middle States Association of Colleges and Schools.

(B) The Association of Independent Maryland Schools.

(C) The Southern Association of Colleges and Schools.

(D) The Virginia Association of Independent Schools.

(E) American Montessori Internationale.

(F) The American Montessori Society.

(G) The National Academy of Early Childhood Programs.

(H) Any other accrediting body deemed appropriate by the eligible chartering authority that granted the charter to the school.

(17) In the case that the proposed school's educational program includes preschool or pre-kindergarten, an assurance the proposed school will be licensed as a child development center by the District of Columbia Government not later than the first date on which such program commences.

(18) An explanation of the relationship that will exist between the public charter school and the school's employees.

(19) A statement of whether the proposed school elects to be treated as a local educational agency or a District of Columbia public school for purposes of part B of the Individuals With Disabilities Education Act (20 U.S.C. 1411 et seq.) and section 504 of the Rehabilitation Act of 1973 (20 U.S.C. 794), and notwithstanding any other provision of law the eligible chartering authority shall not have the authority to approve or disapprove such election.

#### **SEC. 2203. PROCESS FOR APPROVING OR DENYING PUBLIC CHARTER SCHOOL PETITIONS.**

(a) **SCHEDULE.**—An eligible chartering authority shall establish a schedule for receiving petitions to establish a public charter school and shall publish any such schedule in the District of Columbia Register and newspapers of general circulation.

(b) **PUBLIC HEARING.**—Not later than 45 days after a petition to establish a public charter school is filed with an eligible chartering authority, the eligible chartering authority shall hold a public hearing on the petition to gather the information that is necessary for the eligible chartering authority to make the decision to approve or deny the petition.

(c) **NOTICE.**—Not later than 10 days prior to the scheduled date of a public hearing on a petition to establish a public charter school, an eligible chartering authority—

(1) shall publish a notice of the hearing in the District of Columbia Register and newspapers of general circulation; and

(2) shall send a written notification of the hearing date to the eligible applicant who filed the petition.

(d) **APPROVAL.**—Subject to subsection (i), an eligible chartering authority may approve a petition to establish a public charter school, if—

(1) the eligible chartering authority determines that the petition satisfies the requirements of this subtitle;

(2) the eligible applicant who filed the petition agrees to satisfy any condition or requirement, consistent with this subtitle and other applicable law, that is set forth in writing by the eligible chartering authority as an amendment to the petition; and

(3) the eligible chartering authority determines that the public charter school has the ability to meet the educational objectives outlined in the petition.

(e) **TIMETABLE.**—An eligible chartering authority shall approve or deny a petition to establish a public charter school not later than 45 days after the conclusion of the public hearing on the petition.

(f) **EXTENSION.**—An eligible chartering authority and an eligible applicant may agree to extend the 45-day time period referred to in subsection (e) by a period that shall not exceed 30 days.

(g) **DENIAL EXPLANATION.**—If an eligible chartering authority denies a petition or finds the petition to be incomplete, the eligible chartering authority shall specify in writing the reasons for its decision and indicate, when the eligible chartering authority determines appropriate, how the eligible applicant who filed the petition may revise the petition to satisfy the requirements for approval.

(h) **APPROVED PETITION.**—

(1) **NOTICE.**—Not later than 10 days after an eligible chartering authority approves a petition to establish a public charter school, the eligible chartering authority shall provide a written notice of the approval, including a copy of the approved petition and any conditions or requirements agreed to under subsection (d)(2), to the eligible applicant and to the Chief Financial Officer of the District of Columbia. The eligible chartering authority shall publish a notice of the approval of the petition in the District of Columbia Register and newspapers of general circulation.

(2) **CHARTER.**—The provisions described in paragraphs (1), (7), (8), (11), (16), (17), and (18) of section 2202 of a petition to establish a public charter school that are approved by an eligible chartering authority, together with any amendments to such provisions in the petition containing conditions or requirements agreed to by the eligible applicant under subsection (d)(2), shall be considered a charter granted to the school by the eligible chartering authority.

(i) **NUMBER OF PETITIONS.**—

(1) **FIRST YEAR.**—For academic year 1996-1997, not more than 10 petitions to establish public charter schools may be approved under this subtitle.

(2) **SUBSEQUENT YEARS.**—For academic year 1997-1998 and each academic year thereafter each eligible chartering authority shall not approve more than 5 petitions to establish a public charter school under this subtitle.

(j) **EXCLUSIVE AUTHORITY OF THE ELIGIBLE CHARTERING AUTHORITY.**—No governmental entity, elected official, or employee of the District of Columbia shall make, participate in making, or intervene in the making of, the decision to approve or deny a petition to establish a public charter school, except for officers or employees of the eligible chartering authority with which the petition is filed.

**SEC. 2204. DUTIES, POWERS, AND OTHER REQUIREMENTS, OF PUBLIC CHARTER SCHOOLS.**

(a) **DUTIES.**—A public charter school shall comply with all of the terms and provisions of its charter.

(b) **POWERS.**—A public charter school shall have the following powers:

(1) To adopt a name and corporate seal, but only if the name selected includes the words "public charter school".

(2) To acquire real property for use as the public charter school's facilities, from public or private sources.

(3) To receive and disburse funds for public charter school purposes.

(4) Subject to subsection (c)(1), to secure appropriate insurance and to make contracts and leases, including agreements to procure or purchase services, equipment, and supplies.

(5) To incur debt in reasonable anticipation of the receipt of funds from the general fund of the District of Columbia or the receipt of Federal or private funds.

(6) To solicit and accept any grants or gifts for public charter school purposes, if the public charter school—

(A) does not accept any grants or gifts subject to any condition contrary to law or contrary to its charter; and

(B) maintains for financial reporting purposes separate accounts for grants or gifts.

(7) To be responsible for the public charter school's operation, including preparation of a budget and personnel matters.

(8) To sue and be sued in the public charter school's own name.

(c) **PROHIBITIONS AND OTHER REQUIREMENTS.**—

(1) **CONTRACTING AUTHORITY.**—

(A) **NOTICE REQUIREMENT.**—Except in the case of an emergency (as determined by the eligible chartering authority of a public charter school), with respect to any contract proposed to be awarded by the public charter school and having a value equal to or exceeding \$10,000, the school shall publish a notice of a request for proposals in the District of Columbia Register and newspapers of general circulation not less than 30 days prior to the award of the contract.

(B) **SUBMISSION TO THE AUTHORITY.**—

(i) **DEADLINE FOR SUBMISSION.**—With respect to any contract described in subparagraph (A) that is awarded by a public charter school, the school shall submit to the Authority, not later than 3 days after the date on which the award is made, all bids for the contract received by the school, the name of the contractor who is awarded the contract, and the rationale for the award of the contract.

(ii) **EFFECTIVE DATE OF CONTRACT.**—

(I) **IN GENERAL.**—Subject to subclause (II), a contract described in subparagraph (A) shall become effective on the date that is 15 days after the date the school makes the submission under clause (i) with respect to the contract, or the effective date specified in the contract, whichever is later.

(II) **EXCEPTION.**—A contract described in subparagraph (A) shall be considered null and void if the Authority determines, within 12 days of the date the school makes the submission under clause (i) with respect to the contract, that the contract endangers the economic viability of the public charter school.

(2) **TUITION.**—A public charter school may not charge tuition, fees, or other mandatory payments, except to nonresident students, or for field trips or similar activities.

(3) **CONTROL.**—A public charter school—

(A) shall exercise exclusive control over its expenditures, administration, personnel, and instructional methods, within the limitations imposed in this subtitle; and

(B) shall be exempt from District of Columbia statutes, policies, rules, and regulations established for the District of Columbia public schools by the Superintendent, Board of Education, Mayor, District of Columbia Council, or Authority, except as otherwise provided in the school's charter or this subtitle.

(4) **HEALTH AND SAFETY.**—A public charter school shall maintain the health and safety of all students attending such school.

(5) **CIVIL RIGHTS AND IDEA.**—The Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.), and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), shall apply to a public charter school.

(6) **GOVERNANCE.**—A public charter school shall be governed by a Board of Trustees in a manner consistent with the charter granted to the school and the provisions of this subtitle.

(7) **OTHER STAFF.**—No employee of the District of Columbia public schools may be required to accept employment with, or be assigned to, a public charter school.

(8) **OTHER STUDENTS.**—No student enrolled in a District of Columbia public school may be required to attend a public charter school.

(9) **TAXES OR BONDS.**—A public charter school shall not levy taxes or issue bonds.

(10) **CHARTER REVISION.**—A public charter school seeking to revise its charter shall prepare a petition for approval of the revision and file the petition with the eligible chartering authority that granted the charter. The provisions of section 2203 shall apply to such a petition in the same manner as such provisions apply to a petition to establish a public charter school.

(11) **ANNUAL REPORT.**—

(A) **IN GENERAL.**—A public charter school shall submit an annual report to the eligible chartering authority that approved its charter. The school shall permit a member of the public to review any such report upon request.

(B) **CONTENTS.**—A report submitted under subparagraph (A) shall include the following data:

(i) A report on the extent to which the school is meeting its mission and goals as stated in the petition for the charter school.

(ii) Student performance on any districtwide assessments.

(iii) Grade advancement for students enrolled in the public charter school.

(iv) Graduation rates, college admission test scores, and college admission rates, if applicable.

(v) Types and amounts of parental involvement.

(vi) Official student enrollment.

(vii) Average daily attendance.

(viii) Average daily membership.

(ix) A financial statement audited by an independent certified public accountant in accordance with Government auditing standards for financial audits issued by the Comptroller General of the United States.

(x) A report on school staff indicating the qualifications and responsibilities of such staff.

(xi) A list of all donors and grantors that have contributed monetary or in-kind donations having a value equal to or exceeding \$500 during the year that is the subject of the report.

(C) **NONIDENTIFYING DATA.**—Data described in clauses (i) through (ix) of subparagraph (B) that are included in an annual report shall not identify the individuals to whom the data pertain.

(12) **CENSUS.**—A public charter school shall provide to the Board of Education student en-

rollment data necessary for the Board of Education to comply with section 3 of article II of the Act of February 4, 1925 (D.C. Code, sec. 31-404) (relating to census of minors).

(13) **COMPLAINT RESOLUTION PROCESS.**—A public charter school shall establish an informal complaint resolution process.

(14) **PROGRAM OF EDUCATION.**—A public charter school shall provide a program of education which shall include one or more of the following:

(A) Preschool.

(B) Prekindergarten.

(C) Any grade or grades from kindergarten through grade 12.

(D) Residential education.

(E) Adult, community, continuing, and vocational education programs.

(15) **NONSECTARIAN NATURE OF SCHOOLS.**—A public charter school shall be nonsectarian and shall not be affiliated with a sectarian school or religious institution.

(16) **NONPROFIT STATUS OF SCHOOL.**—A public charter school shall be organized under the District of Columbia Nonprofit Corporation Act (D.C. Code, sec. 29-501 et seq.).

(17) **IMMUNITY FROM CIVIL LIABILITY.**—

(A) **IN GENERAL.**—A public charter school, and its incorporators, Board of Trustees, officers, employees, and volunteers, shall be immune from civil liability, both personally and professionally, for any act or omission within the scope of their official duties unless the act or omission—

(i) constitutes gross negligence;

(ii) constitutes an intentional tort; or

(iii) is criminal in nature.

(B) **COMMON LAW IMMUNITY PRESERVED.**—Subparagraph (A) shall not be construed to abrogate any immunity under common law of a person described in such subparagraph.

**SEC. 2205. BOARD OF TRUSTEES OF A PUBLIC CHARTER SCHOOL.**

(a) **BOARD OF TRUSTEES.**—The members of a Board of Trustees of a public charter school shall be elected or selected pursuant to the charter granted to the school. Such Board of Trustees shall have an odd number of members that does not exceed 7, of which—

(1) a majority shall be residents of the District of Columbia; and

(2) at least 2 shall be parents of a student attending the school.

(b) **ELIGIBILITY.**—An individual is eligible for election or selection to the Board of Trustees of a public charter school if the person—

(1) is a teacher or staff member who is employed at the school;

(2) is a parent of a student attending the school; or

(3) meets the election or selection criteria set forth in the charter granted to the school.

(c) **ELECTION OR SELECTION OF PARENTS.**—In the case of the first Board of Trustees of a public charter school to be elected or selected after the date on which the school is granted a charter, the election or selection of the members under subsection (a)(2) shall occur on the earliest practicable date after classes at the school have commenced. Until such date, any other members who have been elected or selected shall serve as an interim Board of Trustees. Such an interim Board of Trustees may exercise all of the powers, and shall be subject to all of the duties, of a Board of Trustees.

(d) **FIDUCIARIES.**—The Board of Trustees of a public charter school shall be fiduciaries of the school and shall set overall policy for the school. The Board of Trustees may make final decisions on matters related to the operation of the school, consistent with the charter granted to the school, this subtitle, and other applicable law.

**SEC. 2206. STUDENT ADMISSION, ENROLLMENT, AND WITHDRAWAL.**

(a) **OPEN ENROLLMENT.**—Enrollment in a public charter school shall be open to all students

who are residents of the District of Columbia and, if space is available, to nonresident students who meet the tuition requirement in subsection (e).

(b) **CRITERIA FOR ADMISSION.**—A public charter school may not limit enrollment on the basis of a student's race, color, religion, national origin, language spoken, intellectual or athletic ability, measures of achievement or aptitude, or status as a student with special needs. A public charter school may limit enrollment to specific grade levels.

(c) **RANDOM SELECTION.**—If there are more applications to enroll in a public charter school from students who are residents of the District of Columbia than there are spaces available, students shall be admitted using a random selection process.

(d) **ADMISSION TO AN EXISTING SCHOOL.**—During the 5-year period beginning on the date that a petition, filed by an eligible applicant seeking to convert a District of Columbia public school or a private or independent school into a public charter school, is approved, the school may give priority in enrollment to—

(1) students enrolled in the school at the time the petition is granted;

(2) the siblings of students described in paragraph (1); and

(3) in the case of the conversion of a District of Columbia public school, students who reside within the attendance boundaries, if any, in which the school is located.

(e) **NONRESIDENT STUDENTS.**—Nonresident students shall pay tuition to attend a public charter school at the applicable rate established for District of Columbia public schools administered by the Board of Education for the type of program in which the student is enrolled.

(f) **STUDENT WITHDRAWAL.**—A student may withdraw from a public charter school at any time and, if otherwise eligible, enroll in a District of Columbia public school administered by the Board of Education.

(g) **EXPULSION AND SUSPENSION.**—The principal of a public charter school may expel or suspend a student from the school based on criteria set forth in the charter granted to the school.

#### **SEC. 2207. EMPLOYEES.**

(a) **EXTENDED LEAVE OF ABSENCE WITHOUT PAY.**—

(1) **LEAVE OF ABSENCE FROM DISTRICT OF COLUMBIA PUBLIC SCHOOLS.**—The Superintendent shall grant, upon request, an extended leave of absence, without pay, to an employee of the District of Columbia public schools for the purpose of permitting the employee to accept a position at a public charter school for a 2-year term.

(2) **REQUEST FOR EXTENSION.**—At the end of a 2-year term referred to in paragraph (1), an employee granted an extended leave of absence without pay under such paragraph may submit a request to the Superintendent for an extension of the leave of absence for an unlimited number of 2-year terms. The Superintendent may not unreasonably (as determined by the eligible chartering authority) withhold approval of the request.

(3) **RIGHTS UPON TERMINATION OF LEAVE.**—An employee granted an extended leave of absence without pay for the purpose described in paragraph (1) or (2) shall have the same rights and benefits under law upon termination of such leave of absence as an employee of the District of Columbia public schools who is granted an extended leave of absence without pay for any other purpose.

(b) **RETIREMENT SYSTEM.**—

(1) **CREDITABLE SERVICE.**—An employee of a public charter school who has received a leave of absence under subsection (a) shall receive creditable service, as defined in section 2604 of D.C. Law 2-139, effective March 3, 1979 (D.C. Code, sec. 1-627.4) and the rules established under such section, for the period of the employee's employment at the public charter school.

(2) **AUTHORITY TO ESTABLISH SEPARATE SYSTEM.**—A public charter school may establish a retirement system for employees under its authority.

(3) **ELECTION OF RETIREMENT SYSTEM.**—A former employee of the District of Columbia public schools who becomes an employee of a public charter school within 60 days after the date the employee's employment with the District of Columbia public schools is terminated may, at the time the employee commences employment with the public charter school, elect—

(A) to remain in a District of Columbia Government retirement system and continue to receive creditable service for the period of their employment at a public charter school; or

(B) to transfer into a retirement system established by the public charter school pursuant to paragraph (2).

(4) **PROHIBITED EMPLOYMENT CONDITIONS.**—No public charter school may require a former employee of the District of Columbia public schools to transfer to the public charter school's retirement system as a condition of employment.

(5) **CONTRIBUTIONS.**—

(A) **EMPLOYEES ELECTING NOT TO TRANSFER.**—In the case of a former employee of the District of Columbia public schools who elects to remain in a District of Columbia Government retirement system pursuant to paragraph (3)(A), the public charter school that employs the person shall make the same contribution to such system on behalf of the person as the District of Columbia would have been required to make if the person had continued to be an employee of the District of Columbia public schools.

(B) **EMPLOYEES ELECTING TO TRANSFER.**—In the case of a former employee of the District of Columbia public schools who elects to transfer into a retirement system of a public charter school pursuant to paragraph (3)(B), the applicable District of Columbia Government retirement system from which the former employee is transferring shall compute the employee's contribution to that system and transfer this amount, to the retirement system of the public charter school.

(c) **EMPLOYMENT STATUS.**—Notwithstanding any other provision of law and except as provided in this section, an employee of a public charter school shall not be considered to be an employee of the District of Columbia Government for any purpose.

#### **SEC. 2208. REDUCED FARES FOR PUBLIC TRANSPORTATION.**

A student attending a public charter school shall be eligible for reduced fares on the Metrobus and Metrorail Transit System on the same terms and conditions as are applicable under section 2 of D.C. Law 2-152, effective March 9, 1979 (D.C. Code, sec. 44-216 et seq.), to a student attending a District of Columbia public school.

#### **SEC. 2209. DISTRICT OF COLUMBIA PUBLIC SCHOOL SERVICES TO PUBLIC CHARTER SCHOOLS.**

The Superintendent may provide services, such as facilities maintenance, to public charter schools. All compensation for costs of such services shall be subject to negotiation and mutual agreement between a public charter school and the Superintendent.

#### **SEC. 2210. APPLICATION OF LAW.**

(a) **ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.**—

(1) **TREATMENT AS LOCAL EDUCATIONAL AGENCY.**—

(A) **IN GENERAL.**—For any fiscal year, a public charter school shall be considered to be a local educational agency for purposes of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), and shall be eligible for assistance under such part, if the fraction the numerator of which is the number of low-income students enrolled in the public charter school during the fiscal year preceding the fiscal year for which the determina-

tion is made and the denominator of which is the total number of students enrolled in such public charter school for such preceding year, is equal to or greater than the lowest fraction determined for any District of Columbia public school receiving assistance under such part A where the numerator is the number of low-income students enrolled in such public school for such preceding year and the denominator is the total number of students enrolled in such public school for such preceding year.

(B) **DEFINITION.**—For the purposes of this subsection, the term "low-income student" means a student from a low-income family determined according to the measure adopted by the District of Columbia to carry out the provisions of part A of title I of the Elementary and Secondary Education Act of 1965 that is consistent with the measures described in section 1113(a)(5) of such Act (20 U.S.C. 6313(a)(5)) for the fiscal year for which the determination is made.

(2) **ALLOCATION FOR FISCAL YEARS 1996 THROUGH 1998.**—

(A) **PUBLIC CHARTER SCHOOLS.**—For fiscal years 1996 through 1998, each public charter school that is eligible to receive assistance under part A of title I of the Elementary and Secondary Education Act of 1965 shall receive a portion of the District of Columbia's total allocation under such part which bears the same ratio to such total allocation as the number described in subparagraph (C) bears to the number described in subparagraph (D).

(B) **DISTRICT OF COLUMBIA PUBLIC SCHOOLS.**—For fiscal years 1996 through 1998, the District of Columbia public schools shall receive a portion of the District of Columbia's total allocation under part A of title I of the Elementary and Secondary Education Act of 1965 which bears the same ratio to such total allocation as the total of the numbers described in clauses (ii) and (iii) of subparagraph (D) bears to the aggregate total described in subparagraph (D).

(C) **NUMBER OF ELIGIBLE STUDENTS ENROLLED IN THE PUBLIC CHARTER SCHOOL.**—The number described in this subparagraph is the number of low-income students enrolled in the public charter school during the fiscal year preceding the fiscal year for which the determination is made.

(D) **AGGREGATE NUMBER OF ELIGIBLE STUDENTS.**—The number described in this subparagraph is the aggregate total of the following numbers:

(i) The number of low-income students who, during the fiscal year preceding the fiscal year for which the determination is made, were enrolled in a public charter school.

(ii) The number of low-income students who, during the fiscal year preceding the fiscal year for which the determination is made, were enrolled in a District of Columbia public school selected to provide services under part A of title I of the Elementary and Secondary Education Act of 1965.

(iii) The number of low-income students who, during the fiscal year preceding the fiscal year for which the determination is made—

(I) were enrolled in a private or independent school; and

(II) resided in an attendance area of a District of Columbia public school selected to provide services under part A of title I of the Elementary and Secondary Education Act of 1965.

(3) **ALLOCATION FOR FISCAL YEAR 1999 AND THEREAFTER.**—

(A) **CALCULATION BY SECRETARY.**—Notwithstanding sections 1124(a)(2), 1124A(a)(4), and 1125(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6333(a)(2), 6334(a)(4), and 6335(d)), for fiscal year 1999 and each fiscal year thereafter, the total allocation under part A of title I of such Act for all local educational agencies in the District of Columbia, including public charter schools that are eligible to receive assistance under such part, shall be calculated by the Secretary of Education. In making such calculation, such Secretary shall treat all such local educational

agencies as if such agencies were a single local educational agency for the District of Columbia.

(B) ALLOCATION.—

(i) PUBLIC CHARTER SCHOOLS.—For fiscal year 1999 and each fiscal year thereafter, each public charter school that is eligible to receive assistance under part A of title I of the Elementary and Secondary Education Act of 1965 shall receive a portion of the total allocation calculated under subparagraph (A) which bears the same ratio to such total allocation as the number described in paragraph (2)(C) bears to the aggregate total described in paragraph (2)(D).

(ii) DISTRICT OF COLUMBIA PUBLIC SCHOOL.—For fiscal year 1999 and each fiscal year thereafter, the District of Columbia public schools shall receive a portion of the total allocation calculated under subparagraph (A) which bears the same ratio to such total allocation as the total of the numbers described in clauses (ii) and (iii) of paragraph (2)(D) bears to the aggregate total described in paragraph (2)(D).

(4) USE OF ESEA FUNDS.—The Board of Education may not direct a public charter school in the school's use of funds under part A of title I of the Elementary and Secondary Education Act of 1965.

(5) ESEA REQUIREMENTS.—Except as provided in paragraph (6), a public charter school receiving funds under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) shall comply with all requirements applicable to schools receiving such funds.

(6) INAPPLICABILITY OF CERTAIN ESEA PROVISIONS.—The following provisions of the Elementary and Secondary Education Act of 1965 shall not apply to a public charter school:

(A) Paragraphs (5) and (8) of section 1112(b) (20 U.S.C. 6312(b)).

(B) Paragraphs (1)(A), (1)(B), (1)(C), (1)(D), (1)(F), (1)(H), and (3) of section 1112(c) (20 U.S.C. 6312(c)).

(C) Section 1113 (20 U.S.C. 6313).

(D) Section 1115A (20 U.S.C. 6316).

(E) Subsections (a), (b), and (c) of section 1116 (20 U.S.C. 6317).

(F) Subsections (d) and (e) of section 1118 (20 U.S.C. 6319).

(G) Section 1120 (20 U.S.C. 6321).

(H) Subsections (a) and (c) of section 1120A (20 U.S.C. 6322).

(I) Section 1126 (20 U.S.C. 6337).

(b) PROPERTY AND SALES TAXES.—A public charter school shall be exempt from District of Columbia property and sales taxes.

(c) EDUCATION OF CHILDREN WITH DISABILITIES.—Notwithstanding any other provision of this title, each public charter school shall elect to be treated as a local educational agency or a District of Columbia public school for the purpose of part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

**SEC. 2211. POWERS AND DUTIES OF ELIGIBLE CHARTERING AUTHORITIES.**

(a) OVERSIGHT.—

(1) IN GENERAL.—An eligible chartering authority—

(A) shall monitor the operations of each public charter school to which the eligible chartering authority has granted a charter;

(B) shall ensure that each such school complies with applicable laws and the provisions of the charter granted to such school; and

(C) shall monitor the progress of each such school in meeting student academic achievement expectations specified in the charter granted to such school.

(2) PRODUCTION OF BOOKS AND RECORDS.—An eligible chartering authority may require a public charter school to which the eligible chartering authority has granted a charter to produce any book, record, paper, or document, if the eligible chartering authority determines that such production is necessary for the eligible chartering authority to carry out its functions under this subtitle.

(b) FEES.—

(1) APPLICATION FEE.—An eligible chartering authority may charge an eligible applicant a fee, not to exceed \$150, for processing a petition to establish a public charter school.

(2) ADMINISTRATION FEE.—In the case of an eligible chartering authority that has granted a charter to a public charter school, the eligible chartering authority may charge the school a fee, not to exceed one-half of one percent of the annual budget of the school, to cover the cost of undertaking the ongoing administrative responsibilities of the eligible chartering authority with respect to the school that are described in this subtitle. The school shall pay the fee to the eligible chartering authority not later than November 15 of each year.

(c) IMMUNITY FROM CIVIL LIABILITY.—

(1) IN GENERAL.—An eligible chartering authority, the Board of Trustees of such an eligible chartering authority, and a director, officer, employee, or volunteer of such an eligible chartering authority, shall be immune from civil liability, both personally and professionally, for any act or omission within the scope of their official duties unless the act or omission—

(A) constitutes gross negligence;

(B) constitutes an intentional tort; or

(C) is criminal in nature.

(2) COMMON LAW IMMUNITY PRESERVED.—Paragraph (1) shall not be construed to abrogate any immunity under common law of a person described in such paragraph.

(d) ANNUAL REPORT.—On or before July 30 of each year, each eligible chartering authority that issues a charter under this subtitle shall submit a report to the Mayor, the District of Columbia Council, the Board of Education, the Secretary of Education, the appropriate congressional committees, and the Consensus Commission that includes the following information:

(1) A list of the members of the eligible chartering authority and the addresses of such members.

(2) A list of the dates and places of each meeting of the eligible chartering authority during the year preceding the report.

(3) The number of petitions received by the eligible chartering authority for the conversion of a District of Columbia public school or a private or independent school to a public charter school, and for the creation of a new school as a public charter school.

(4) The number of petitions described in paragraph (3) that were approved and the number that were denied, as well as a summary of the reasons for which such petitions were denied.

(5) A description of any new charters issued by the eligible chartering authority during the year preceding the report.

(6) A description of any charters renewed by the eligible chartering authority during the year preceding the report.

(7) A description of any charters revoked by the eligible chartering authority during the year preceding the report.

(8) A description of any charters refused renewal by the eligible chartering authority during the year preceding the report.

(9) Any recommendations the eligible chartering authority has concerning ways to improve the administration of public charter schools.

**SEC. 2212. CHARTER RENEWAL.**

(a) TERM.—A charter granted to a public charter school shall remain in force for a 5-year period, but may be renewed for an unlimited number of times, each time for a 5-year period.

(b) APPLICATION FOR CHARTER RENEWAL.—In the case of a public charter school that desires to renew its charter, the Board of Trustees of the school shall file an application to renew the charter with the eligible chartering authority that granted the charter not later than 120 days nor earlier than 365 days before the expiration of the charter. The application shall contain the following:

(1) A report on the progress of the public charter school in achieving the goals, student aca-

demic achievement expectations, and other terms of the approved charter.

(2) All audited financial statements for the public charter school for the preceding 4 years.

(c) APPROVAL OF CHARTER RENEWAL APPLICATION.—The eligible chartering authority that granted a charter shall approve an application to renew the charter that is filed in accordance with subsection (b), except that the eligible chartering authority shall not approve such application if the eligible chartering authority determines that—

(1) the school committed a material violation of applicable laws or a material violation of the conditions, terms, standards, or procedures set forth in its charter, including violations relating to the education of children with disabilities; or

(2) the school failed to meet the goals and student academic achievement expectations set forth in its charter.

(d) PROCEDURES FOR CONSIDERATION OF CHARTER RENEWAL.—

(1) NOTICE OF RIGHT TO HEARING.—An eligible chartering authority that has received an application to renew a charter that is filed by a Board of Trustees in accordance with subsection (b) shall provide to the Board of Trustees written notice of the right to an informal hearing on the application. The eligible chartering authority shall provide the notice not later than 15 days after the date on which the eligible chartering authority received the application.

(2) REQUEST FOR HEARING.—Not later than 15 days after the date on which a Board of Trustees receives a notice under paragraph (1), the Board of Trustees may request, in writing, an informal hearing on the application before the eligible chartering authority.

(3) DATE AND TIME OF HEARING.—

(A) NOTICE.—Upon receiving a timely written request for a hearing under paragraph (2), an eligible chartering authority shall set a date and time for the hearing and shall provide reasonable notice of the date and time, as well as the procedures to be followed at the hearing, to the Board of Trustees.

(B) DEADLINE.—An informal hearing under this subsection shall take place not later than 30 days after an eligible chartering authority receives a timely written request for the hearing under paragraph (2).

(4) FINAL DECISION.—

(A) DEADLINE.—An eligible chartering authority shall render a final decision, in writing, on an application to renew a charter—

(i) not later than 30 days after the date on which the eligible chartering authority provided the written notice of the right to a hearing, in the case of an application with respect to which such a hearing is not held; and

(ii) not later than 30 days after the date on which the hearing is concluded, in the case of an application with respect to which a hearing is held.

(B) REASONS FOR NONRENEWAL.—An eligible chartering authority that denies an application to renew a charter shall state in its decision the reasons for denial.

(5) ALTERNATIVES UPON NONRENEWAL.—If an eligible chartering authority denies an application to renew a charter granted to a public charter school, the Board of Education may—

(A) manage the school directly until alternative arrangements can be made for students at the school; or

(B) place the school in a probationary status that requires the school to take remedial actions, to be determined by the Board of Education, that directly relate to the grounds for the denial.

(6) JUDICIAL REVIEW.—

(A) AVAILABILITY OF REVIEW.—A decision by an eligible chartering authority to deny an application to renew a charter shall be subject to judicial review by an appropriate court of the District of Columbia.

(B) STANDARD OF REVIEW.—A decision by an eligible chartering authority to deny an application to renew a charter shall be upheld unless



the decision is arbitrary and capricious or clearly erroneous.

#### SEC. 2213. CHARTER REVOCATION.

(a) CHARTER OR LAW VIOLATIONS.—An eligible chartering authority that has granted a charter to a public charter school may revoke the charter if the eligible chartering authority determines that the school has committed a violation of applicable laws or a material violation of the conditions, terms, standards, or procedures set forth in the charter, including violations relating to the education of children with disabilities.

(b) FISCAL MISMANAGEMENT.—An eligible chartering authority that has granted a charter to a public charter school shall revoke the charter if the eligible chartering authority determines that the school—

(1) has engaged in a pattern of nonadherence to generally accepted accounting principles;

(2) has engaged in a pattern of fiscal mismanagement; or

(3) is no longer economically viable.

(c) PROCEDURES FOR CONSIDERATION OF REVOCATION.—

(1) NOTICE OF RIGHT TO HEARING.—An eligible chartering authority that is proposing to revoke a charter granted to a public charter school shall provide to the Board of Trustees of the school a written notice stating the reasons for the proposed revocation. The notice shall inform the Board of Trustees of the right of the Board of Trustees to an informal hearing on the proposed revocation.

(2) REQUEST FOR HEARING.—Not later than 15 days after the date on which a Board of Trustees receives a notice under paragraph (1), the Board of Trustees may request, in writing, an informal hearing on the proposed revocation before the eligible chartering authority.

(3) DATE AND TIME OF HEARING.—

(A) NOTICE.—Upon receiving a timely written request for a hearing under paragraph (2), an eligible chartering authority shall set a date and time for the hearing and shall provide reasonable notice of the date and time, as well as the procedures to be followed at the hearing, to the Board of Trustees.

(B) DEADLINE.—An informal hearing under this subsection shall take place not later than 30 days after an eligible chartering authority receives a timely written request for the hearing under paragraph (2).

(4) FINAL DECISION.—

(A) DEADLINE.—An eligible chartering authority shall render a final decision, in writing, on the revocation of a charter—

(i) not later than 30 days after the date on which the eligible chartering authority provided the written notice of the right to a hearing, in the case of a proposed revocation with respect to which such a hearing is not held; and

(ii) not later than 30 days after the date on which the hearing is concluded, in the case of a proposed revocation with respect to which a hearing is held.

(B) REASONS FOR REVOCATION.—An eligible chartering authority that revokes a charter shall state in its decision the reasons for the revocation.

(5) ALTERNATIVES UPON REVOCATION.—If an eligible chartering authority revokes a charter granted to a public charter school, the Board of Education may manage the school directly until alternative arrangements can be made for students at the school.

(6) JUDICIAL REVIEW.—

(A) AVAILABILITY OF REVIEW.—A decision by an eligible chartering authority to revoke a charter shall be subject to judicial review by an appropriate court of the District of Columbia.

(B) STANDARD OF REVIEW.—A decision by an eligible chartering authority to revoke a charter shall be upheld unless the decision is arbitrary and capricious or clearly erroneous.

#### SEC. 2214. PUBLIC CHARTER SCHOOL BOARD.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established within the District of Columbia Government a Public Charter School Board (in this section referred to as the "Board").

(2) MEMBERSHIP.—The Secretary of Education shall present the Mayor a list of 15 individuals the Secretary determines are qualified to serve on the Board. The Mayor, in consultation with the District of Columbia Council, shall appoint 7 individuals from the list to serve on the Board. The Secretary of Education shall recommend, and the Mayor shall appoint, members to serve on the Board so that a knowledge of each of the following areas is represented on the Board:

(A) Research about and experience in student learning, quality teaching, and evaluation of and accountability in successful schools.

(B) The operation of a financially sound enterprise, including leadership and management techniques, as well as the budgeting and accounting skills critical to the startup of a successful enterprise.

(C) The educational, social, and economic development needs of the District of Columbia.

(D) The needs and interests of students and parents in the District of Columbia, as well as methods of involving parents and other members of the community in individual schools.

(3) VACANCIES.—Any time there is a vacancy in the membership of the Board, the Secretary of Education shall present the Mayor a list of 3 individuals the Secretary determines are qualified to serve on the Board. The Mayor, in consultation with the District of Columbia Council, shall appoint 1 individual from the list to serve on the Board. The Secretary shall recommend and the Mayor shall appoint, such member of the Board taking into consideration the criteria described in paragraph (2). Any member appointed to fill a vacancy occurring prior to the expiration of the term of a predecessor shall be appointed only for the remainder of the term.

(4) TIME LIMIT FOR APPOINTMENTS.—If, at any time, the Mayor does not appoint members to the Board sufficient to bring the Board's membership to 7 within 30 days of receiving a recommendation from the Secretary of Education under paragraph (2) or (3), the Secretary shall make such appointments as are necessary to bring the membership of the Board to 7.

(5) TERMS OF MEMBERS.—

(A) IN GENERAL.—Members of the Board shall serve for terms of 4 years, except that, of the initial appointments made under paragraph (2), the Mayor shall designate—

(i) 2 members to serve terms of 3 years;

(ii) 2 members to serve terms of 2 years; and

(iii) 1 member to serve a term of 1 year.

(B) REAPPOINTMENT.—Members of the Board shall be eligible to be reappointed for one 4-year term beyond their initial term of appointment.

(6) INDEPENDENCE.—No person employed by the District of Columbia public schools or a public charter school shall be eligible to be a member of the Board or to be employed by the Board.

(b) OPERATIONS OF THE BOARD.—

(1) CHAIR.—The members of the Board shall elect from among their membership 1 individual to serve as Chair. Such election shall be held each year after members of the Board have been appointed to fill any vacancies caused by the regular expiration of previous members' terms, or when requested by a majority vote of the members of the Board.

(2) QUORUM.—A majority of the members of the Board, not including any positions that may be vacant, shall constitute a quorum sufficient for conducting the business of the Board.

(3) MEETINGS.—The Board shall meet at the call of the Chair, subject to the hearing requirements of sections 2203, 2212(d)(3), and 2213(c)(3).

(c) NO COMPENSATION FOR SERVICE.—Members of the Board shall serve without pay, but may receive reimbursement for any reasonable and necessary expenses incurred by reason of service on the Board.

(d) PERSONNEL AND RESOURCES.—

(1) IN GENERAL.—Subject to such rules as may be made by the Board, the Chair shall have the

power to appoint, terminate, and fix the pay of an Executive Director and such other personnel of the Board as the Chair considers necessary, but no individual so appointed shall be paid in excess of the rate payable for level EG-16 of the Educational Service of the District of Columbia.

(2) SPECIAL RULE.—The Board is authorized to use the services, personnel, and facilities of the District of Columbia.

(e) EXPENSES OF BOARD.—Any expenses of the Board shall be paid from such funds as may be available to the Mayor: Provided, That within 45 days of the enactment of this Act the Mayor shall make available not less than \$130,000 to the Board.

(f) AUDIT.—The Board shall provide for an audit of the financial statements of the Board by an independent certified public accountant in accordance with Government auditing standards for financial audits issued by the Comptroller General of the United States.

(g) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out the provisions of this section and conducting the Board's functions required by this subtitle, there are authorized to be appropriated \$300,000 for fiscal year 1997 and such sums as may be necessary for each of the 3 succeeding fiscal years.

#### SEC. 2215. FEDERAL ENTITIES.

(a) IN GENERAL.—The following Federal agencies and federally established entities are encouraged to explore whether it is feasible for the agency or entity to establish one or more public charter schools:

(1) The Library of Congress.

(2) The National Aeronautics and Space Administration.

(3) The Drug Enforcement Administration.

(4) The National Science Foundation.

(5) The Department of Justice.

(6) The Department of Defense.

(7) The Department of Education.

(8) The Smithsonian Institution, including the National Zoological Park, the National Museum of American History, the John F. Kennedy Center for the Performing Arts, and the National Gallery of Art.

(b) REPORT.—Not later than 120 days after date of enactment of this Act, any agency or institution described in subsection (a) that has explored the feasibility of establishing a public charter school shall report its determination on the feasibility to the appropriate congressional committees.

#### Subtitle C—World Class Schools Task Force, Core Curriculum, Content Standards, Assessments, and Promotion Gates

#### PART 1—WORLD CLASS SCHOOLS TASK FORCE, CORE CURRICULUM, CONTENT STANDARDS, AND ASSESSMENTS

#### SEC. 2311. GRANT AUTHORIZED AND RECOMMENDATION REQUIRED.

(a) GRANT AUTHORIZED.—

(1) IN GENERAL.—The Superintendent is authorized to award a grant to a World Class Schools Task Force to enable such task force to make the recommendation described in subsection (b).

(2) DEFINITION.—For the purpose of this subtitle, the term "World Class Schools Task Force" means 1 nonprofit organization located in the District of Columbia that—

(A) has a national reputation for advocating content standards;

(B) has a national reputation for advocating a strong liberal arts curriculum;

(C) has experience with at least 4 urban school districts for the purpose of establishing content standards;

(D) has developed and managed professional development programs in science, mathematics, the humanities and the arts; and

(E) is governed by an independent board of directors composed of citizens with a variety of experiences in education and public policy.

(b) RECOMMENDATION REQUIRED.—



(1) *IN GENERAL.*—The World Class Schools Task Force shall recommend to the Superintendent, the Board of Education, and the District of Columbia Goals Panel the following:

(A) Content standards in the core academic subjects that are developed by working with the District of Columbia community, which standards shall be developed not later than 12 months after the date of enactment of this Act.

(B) A core curriculum developed by working with the District of Columbia community, which curriculum shall include the teaching of computer skills.

(C) Districtwide assessments for measuring student achievement in accordance with content standards developed under subparagraph (A). Such assessments shall be developed at several grade levels, including at a minimum, the grade levels with respect to which the Superintendent establishes promotion gates under section 2321. To the extent feasible, such assessments shall, at a minimum, be designed to provide information that permits comparisons between—

(i) individual District of Columbia public schools and public charter schools; and  
(ii) individual students attending such schools.

(D) Model professional development programs for teachers using the standards and curriculum developed under subparagraphs (A) and (B).

(2) *SPECIAL RULE.*—The World Class Schools Task Force is encouraged, to the extent practicable, to develop districtwide assessments described in paragraph (1)(C) that permit comparisons among—

(A) individual District of Columbia public schools and public charter schools, and individual students attending such schools; and  
(B) students of other nations.

(c) *CONTENT.*—The content standards and assessments recommended under subsection (b) shall be judged by the World Class Schools Task Force to be world class, including having a level of quality and rigor, or being analogous to content standards and assessments of other States or nations (including nations whose students historically score high on international studies of student achievement).

(d) *SUBMISSION TO BOARD OF EDUCATION FOR ADOPTION.*—If the content standards, curriculum, assessments, and programs recommended under subsection (b) are approved by the Superintendent, the Superintendent may submit such content standards, curriculum, assessments, and programs to the Board of Education for adoption.

#### SEC. 2312. CONSULTATION.

The World Class Schools Task Force shall conduct its duties under this part in consultation with—

(1) the District of Columbia Goals Panel;  
(2) officials of the District of Columbia public schools who have been identified by the Superintendent as having responsibilities relevant to this part, including the Deputy Superintendent for Curriculum;  
(3) the District of Columbia community, with particular attention given to educators, and parent and business organizations; and  
(4) any other persons or groups that the task force deems appropriate.

#### SEC. 2313. ADMINISTRATIVE PROVISIONS.

The World Class Schools Task Force shall ensure public access to its proceedings (other than proceedings, or portions of proceedings, relating to internal personnel and management matters) that are relevant to its duties under this part and shall make available to the public, at reasonable cost, transcripts of such proceedings.

#### SEC. 2314. CONSULTANTS.

Upon the request of the World Class Schools Task Force, the head of any department or agency of the Federal Government may detail any of the personnel of such agency to such task force to assist such task force in carrying out such task force's duties under this part.

#### SEC. 2315. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$2,000,000 for fiscal year 1997 to carry out this

part. Such funds shall remain available until expended.

### PART 2—PROMOTION GATES

#### SEC. 2321. PROMOTION GATES.

(a) *KINDERGARTEN THROUGH 4TH GRADE.*—Not later than one year after the date of adoption in accordance with section 2311(d) of the assessments described in section 2311(b)(1)(C), the Superintendent shall establish and implement promotion gates for mathematics, reading, and writing, for not less than 1 grade level from kindergarten through grade 4, including at least grade 4, and shall establish dates for establishing such other promotion gates for other subject areas.

(b) *5TH THROUGH 8TH GRADES.*—Not later than one year after the adoption in accordance with section 2311(d) of the assessments described in section 2311(b)(1)(C), the Superintendent shall establish and implement promotion gates with respect to not less than one grade level from grade 5 through grade 8, including at least grade 8.

(c) *9TH THROUGH 12TH GRADES.*—Not later than one year after the adoption in accordance with section 2311(d) of the assessments described in section 2311(b)(1)(C), the Superintendent shall establish and implement promotion gates with respect to not less than one grade level from grade 9 through grade 12, including at least grade 12.

#### Subtitle D—Per Capita District of Columbia Public School and Public Charter School Funding

#### SEC. 2401. ANNUAL BUDGETS FOR SCHOOLS.

(a) *IN GENERAL.*—For fiscal year 1997 and for each subsequent fiscal year, the Mayor shall make annual payments from the general fund of the District of Columbia in accordance with the formula established under subsection (b).

(b) *FORMULA.*—

(1) *IN GENERAL.*—The Mayor and the District of Columbia Council, in consultation with the Board of Education and the Superintendent, shall establish not later than 90 days after enactment of this Act, a formula to determine the amount of—

(A) the annual payment to the Board of Education for the operating expenses of the District of Columbia public schools, which for purposes of this paragraph includes the operating expenses of the Board of Education and the Office of the Superintendent; and

(B) the annual payment to each public charter school for the operating expenses of each public charter school.

(2) *FORMULA CALCULATION.*—Except as provided in paragraph (3), the amount of the annual payment under paragraph (1) shall be calculated by multiplying a uniform dollar amount used in the formula established under such paragraph by—

(A) the number of students calculated under section 2402 that are enrolled at District of Columbia public schools, in the case of the payment under paragraph (1)(A); or

(B) the number of students calculated under section 2402 that are enrolled at each public charter school, in the case of a payment under paragraph (1)(B).

(3) *EXCEPTIONS.*—

(A) *FORMULA.*—Notwithstanding paragraph (2), the Mayor and the District of Columbia Council, in consultation with the Board of Education and the Superintendent, may adjust the formula to increase or decrease the amount of the annual payment to the District of Columbia public schools or each public charter school based on a calculation of—

(i) the number of students served by such schools in certain grade levels; and

(ii) the cost of educating students at such certain grade levels.

(B) *PAYMENT.*—Notwithstanding paragraph (2), the Mayor and the District of Columbia Council, in consultation with the Board of Edu-

cation and the Superintendent, may adjust the amount of the annual payment under paragraph (1) to increase the amount of such payment if a District of Columbia public school or a public charter school serves a high number of students—

(i) with special needs; or  
(ii) who do not meet minimum literacy standards.

#### SEC. 2402. CALCULATION OF NUMBER OF STUDENTS.

(a) *SCHOOL REPORTING REQUIREMENT.*—

(1) *IN GENERAL.*—Not later than September 15, 1996, and not later than September 15 of each year thereafter, each District of Columbia public school and public charter school shall submit a report to the Mayor and the Board of Education containing the information described in subsection (b) that is applicable to such school.

(2) *SPECIAL RULE.*—Not later than April 1, 1997, and not later than April 1 of each year thereafter, each public charter school shall submit a report in the same form and manner as described in paragraph (1) to ensure accurate payment under section 2403(a)(2)(B)(ii).

(b) *CALCULATION OF NUMBER OF STUDENTS.*—Not later than 30 days after the date of the enactment of this Act, and not later than October 15 of each year thereafter, the Board of Education shall calculate the following:

(1) The number of students, including nonresident students and students with special needs, enrolled in each grade from kindergarten through grade 12 of the District of Columbia public schools and in public charter schools, and the number of students whose tuition for enrollment in other schools is paid for with funds available to the District of Columbia public schools.

(2) The amount of fees and tuition assessed and collected from the nonresident students described in paragraph (1).

(3) The number of students, including nonresident students, enrolled in preschool and pre-kindergarten in the District of Columbia public schools and in public charter schools.

(4) The amount of fees and tuition assessed and collected from the nonresident students described in paragraph (3).

(5) The number of full time equivalent adult students enrolled in adult, community, continuing, and vocational education programs in the District of Columbia public schools and in public charter schools.

(6) The amount of fees and tuition assessed and collected from resident and nonresident adult students described in paragraph (5).

(7) The number of students, including nonresident students, enrolled in nongrade level programs in District of Columbia public schools and in public charter schools.

(8) The amount of fees and tuition assessed and collected from nonresident students described in paragraph (7).

(c) *ANNUAL REPORTS.*—Not later than 30 days after the date of the enactment of this Act, and not later than October 15 of each year thereafter, the Board of Education shall prepare and submit to the Authority, the Mayor, the District of Columbia Council, the Consensus Commission, the Comptroller General of the United States, and the appropriate congressional committees a report containing a summary of the most recent calculations made under subsection (b).

(d) *AUDIT OF INITIAL CALCULATIONS.*—

(1) *IN GENERAL.*—The Board of Education shall arrange with the Authority to provide for the conduct of an independent audit of the initial calculations described in subsection (b).

(2) *CONDUCT OF AUDIT.*—In conducting the audit, the independent auditor—

(A) shall provide an opinion as to the accuracy of the information contained in the report described in subsection (c); and

(B) shall identify any material weaknesses in the systems, procedures, or methodology used by the Board of Education—

(i) in determining the number of students, including nonresident students, enrolled in the District of Columbia public schools and in public charter schools, and the number of students whose tuition for enrollment in other school systems is paid for by funds available to the District of Columbia public schools; and

(ii) in assessing and collecting fees and tuition from nonresident students.

(3) **SUBMISSION OF AUDIT.**—Not later than 45 days, or as soon thereafter as is practicable, after the date on which the Authority receives the initial annual report from the Board of Education under subsection (c), the Authority shall submit to the Board of Education, the Mayor, the District of Columbia Council, and the appropriate congressional committees, the audit conducted under this subsection.

(4) **COST OF THE AUDIT.**—The Board of Education shall reimburse the Authority for the cost of the independent audit, solely from amounts appropriated to the Board of Education for staff, stipends, and other-than-personal-services of the Board of Education by an Act making appropriations for the District of Columbia.

#### **SEC. 2403. PAYMENTS.**

(a) **IN GENERAL.**—

(1) **ESCROW FOR PUBLIC CHARTER SCHOOLS.**—Except as provided in subsection (b), for any fiscal year, not later than 10 days after the date of enactment of an Act making appropriations for the District of Columbia for such fiscal year, the Mayor shall place in escrow an amount equal to the aggregate of the amounts determined under section 2401(b)(1)(B) for use only by District of Columbia public charter schools.

(2) **TRANSFER OF ESCROW FUNDS.**—

(A) **INITIAL PAYMENT.**—Not later than October 15, 1996, and not later than October 15 of each year thereafter, the Mayor shall transfer, by electronic funds transfer, an amount equal to 75 percent of the amount of the annual payment for each public charter school determined by using the formula established pursuant to section 2401(b) to a bank designated by such school.

(B) **FINAL PAYMENT.**—

(i) Except as provided in clause (ii), not later than May 1, 1997, and not later than May 1 of each year thereafter, the Mayor shall transfer the remainder of the annual payment for a public charter school in the same manner as the initial payment was made under subparagraph (A).

(ii) Not later than March 15, 1997, and not later than March 15 of each year thereafter, if the enrollment number of a public charter school has changed from the number reported to the Mayor and the Board of Education, as required under section 2402(a), the Mayor shall increase the payment in an amount equal to 50 percent of the amount provided for each student who has enrolled in such school in excess of such enrollment number, or shall reduce the payment in an amount equal to 50 percent of the amount provided for each student who has withdrawn or dropped out of such school below such enrollment number.

(C) **PRO RATA REDUCTION OR INCREASE IN PAYMENTS.**—

(i) **PRO RATA REDUCTION.**—If the funds made available to the District of Columbia Government for the District of Columbia public school system and each public charter school for any fiscal year are insufficient to pay the full amount that such system and each public charter school is eligible to receive under this subtitle for such year, the Mayor shall ratably reduce such amounts for such year on the basis of the formula described in section 2401(b).

(ii) **INCREASE.**—If additional funds become available for making payments under this subtitle for such fiscal year, amounts that were reduced under subparagraph (A) shall be increased on the same basis as such amounts were reduced.

(D) **UNEXPENDED FUNDS.**—Any funds that remain in the escrow account for public charter

schools on September 30 of a fiscal year shall revert to the general fund of the District of Columbia.

(b) **EXCEPTION FOR NEW SCHOOLS.**—

(1) **AUTHORIZATION.**—There are authorized to be appropriated \$200,000 for each fiscal year to carry out this subsection.

(2) **DISBURSEMENT TO MAYOR.**—The Secretary of the Treasury shall make available and disburse to the Mayor, not later than August 1 of each of the fiscal years 1996 through 2000, such funds as have been appropriated under paragraph (1).

(3) **ESCROW.**—The Mayor shall place in escrow, for use by public charter schools, any sum disbursed under paragraph (2) and not paid under paragraph (4).

(4) **PAYMENTS TO SCHOOLS.**—The Mayor shall pay to public charter schools described in paragraph (5), in accordance with this subsection, any sum disbursed under paragraph (2).

(5) **SCHOOLS DESCRIBED.**—The schools referred to in paragraph (4) are public charter schools that—

(A) did not operate as public charter schools during any portion of the fiscal year preceding the fiscal year for which funds are authorized to be appropriated under paragraph (1); and

(B) operated as public charter schools during the fiscal year for which funds are authorized to be appropriated under paragraph (1).

(6) **FORMULA.**—

(A) **1996.**—The amount of the payment to a public charter school described in paragraph (5) that begins operation in fiscal year 1996 shall be calculated by multiplying \$6,300 by  $\frac{1}{2}$  of the total anticipated enrollment as set forth in the petition to establish the public charter school; and

(B) **1997 THROUGH 2000.**—The amount of the payment to a public charter school described in paragraph (5) that begins operation in any of fiscal years 1997 through 2000 shall be calculated by multiplying the uniform dollar amount used in the formula established under section 2401(b) by  $\frac{1}{2}$  of the total anticipated enrollment as set forth in the petition to establish the public charter school.

(7) **PAYMENT TO SCHOOLS.**—

(A) **TRANSFER.**—On September 1 of each of the years 1996 through 2000, the Mayor shall transfer, by electronic funds transfer, the amount determined under paragraph (6) for each public charter school from the escrow account established under subsection (a) to a bank designated by each such school.

(B) **PRO RATA AND REMAINING FUNDS.**—Subparagraphs (C) and (D) of subsection (a)(2) shall apply to payments made under this subsection, except that for purposes of this subparagraph references to District of Columbia public schools in such subparagraphs (C) and (D) shall be read to refer to public charter schools.

#### **Subtitle E—School Facilities Repair and Improvement**

#### **SEC. 2550. DEFINITIONS.**

For purposes of this subtitle—

(1) the term “facilities” means buildings, structures, and real property of the District of Columbia public schools, except that such term does not include any administrative office building that is not located in a building containing classrooms; and

(2) the term “repair and improvement” includes administration, construction, and renovation.

#### **PART 1—SCHOOL FACILITIES**

#### **SEC. 2551. TECHNICAL ASSISTANCE.**

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act the Administrator of the General Services Administration shall enter into a Memorandum of Agreement or Understanding (referred to in this subtitle as the “Agreement”) with the Superintendent regarding the terms under which the Administrator

will provide technical assistance and related services with respect to District of Columbia public schools facilities management in accordance with this section.

(b) **TECHNICAL ASSISTANCE AND RELATED SERVICES.**—The technical assistance and related services described in subsection (a) shall include—

(1) the Administrator consulting with and advising District of Columbia public school personnel responsible for public schools facilities management, including repair and improvement with respect to facilities management of such schools;

(2) the Administrator assisting the Superintendent in developing a systemic and comprehensive facilities revitalization program, for the repair and improvement of District of Columbia public school facilities, which program shall—

(A) include a list of facilities to be repaired and improved in a recommended order of priority;

(B) provide the repair and improvement required to support modern technology; and

(C) take into account the Preliminary Facilities Master Plan 2005 (prepared by the Superintendent’s Task Force on Education Infrastructure for the 21st Century);

(3) the method by which the Superintendent will accept donations of private goods and services for use by the District of Columbia public schools without regard to any law or regulation of the District of Columbia;

(4) the Administrator recommending specific repair and improvement projects in District of Columbia public school facilities to the Superintendent that are appropriate for completion by members and units of the National Guard and the Reserves in accordance with the program developed under paragraph (2);

(5) upon the request of the Superintendent, the Administrator assisting the appropriate District of Columbia public school officials in the preparation of an action plan for the performance of any repair and improvement recommended in the program developed under paragraph (2), which action plan shall detail the technical assistance and related services the Administrator proposes to provide in the accomplishment of the repair and improvement;

(6) upon the request of the Superintendent, and if consistent with the efficient use of resources as determined by the Administrator, the coordination of the accomplishment of any repair and improvement in accordance with the action plan prepared under paragraph (5), except that in carrying out this paragraph, the Administrator shall not be subject to the requirements of title III of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq., and 41 U.S.C. 251 et seq.), the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), nor shall such action plan be subject to review under the bid protest procedures described in sections 3551 through 3556 of title 31, United States Code, or the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.);

(7) providing access for the Administrator to all District of Columbia public school facilities as well as permitting the Administrator to request and obtain any record or document regarding such facilities as the Administrator determines necessary, except that any such record or document shall not become a record (as defined in section 552a of title 5, United States Code) of the General Services Administration; and

(8) the Administrator making recommendations regarding how District of Columbia public school facilities may be used by the District of Columbia community for multiple purposes.

(c) **AGREEMENT PROVISIONS.**—The Agreement shall include—

(1) the procedures by which the Superintendent and Administrator will consult with respect to carrying out this section, including reasonable time frames for such consultation;

(2) the scope of the technical assistance and related services to be provided by the General Services Administration in accordance with this section;

(3) assurances by the Administrator and the Superintendent to cooperate with each other in any way necessary to ensure implementation of the Agreement, including assurances that funds available to the District of Columbia shall be used to pay the obligations of the District of Columbia public school system that are incurred as a result of actions taken under, or in furtherance of, the Agreement, in addition to funds available to the Administrator for purposes of this section; and

(4) the duration of the Agreement, except that in no event shall the Agreement remain in effect later than the day that is 24 months after the date that the Agreement is signed, or the day that the agency designated pursuant to section 2552(a)(2) assumes responsibility for the District of Columbia public school facilities, whichever day is earlier.

(d) **LIMITATION ON ADMINISTRATOR'S LIABILITY.**—No claim, suit, or action may be brought against the Administrator in connection with the discharge of the Administrator's responsibilities under this subtitle.

(e) **SPECIAL RULE.**—Notwithstanding any other provision of law, the Administrator is authorized to accept and use a conditioned gift made for the express purpose of repairing or improving a District of Columbia public school, except that the Administrator shall not be required to carry out any repair or improvement under this section unless the Administrator accepts a donation of private goods or services sufficient to cover the costs of such repair or improvement.

(f) **EFFECTIVE DATE.**—This subtitle shall cease to be effective on the earlier day specified in subsection (c)(4).

#### **SEC. 2552. FACILITIES REVITALIZATION PROGRAM.**

(a) **PROGRAM.**—Not later than 12 months after the date of enactment of this Act, the Mayor and the District of Columbia Council in consultation with the Administrator, the Authority, the Board of Education, and the Superintendent, shall—

(1) design and implement a comprehensive long-term program for the repair and improvement, and maintenance and management, of the District of Columbia public school facilities, which program shall incorporate the work completed in accordance with the program described in section 2551(b)(2); and

(2) designate a new or existing agency or authority within the District of Columbia Government to administer such program.

(b) **PROCEEDS.**—Such program shall include—

- (1) identifying short-term funding for capital and maintenance of facilities, which may include retaining proceeds from the sale or lease of a District of Columbia public school facility; and

(2) identifying and designating long-term funding for capital and maintenance of facilities.

(c) **IMPLEMENTATION.**—Upon implementation of such program, the agency or authority created or designated pursuant to subsection (a)(2) shall assume authority and responsibility for the repair and improvement, and maintenance and management, of District of Columbia public schools.

### **PART 2—WAIVERS**

#### **SEC. 2561. WAIVERS.**

(a) **IN GENERAL.**—

(1) **REQUIREMENTS WAIVED.**—Subject to subsection (b), all District of Columbia fees and all requirements contained in the document entitled "District of Columbia Public Schools Standard Contract Provisions" (as such document was in effect on November 2, 1995 and including any revisions or modifications to such document) published by the District of Columbia public schools for use with construction or maintenance

projects, are waived, for purposes of repair and improvement of District of Columbia public schools facilities for a period beginning on the date of enactment of this Act and ending 24 months after such date.

(2) **DONATIONS.**—Any individual may volunteer his or her services or may donate materials to a District of Columbia public school facility for the repair and improvement of such facility provided that the provision of voluntary services meets the requirements of 29 U.S.C. 203(e)(4).

(b) **LIMITATION.**—A waiver under subsection (a) shall not apply to requirements under 40 U.S.C. 276a–276a–7.

### **PART 3—GIFTS, DONATIONS, BEQUESTS, AND DEVICES**

#### **SEC. 2571. GIFTS, DONATIONS, BEQUESTS, AND DEVICES.**

(a) **IN GENERAL.**—A District of Columbia public school or a public charter school may accept directly from any person a gift, donation, bequest, or devise of any property, real or personal, without regard to any law or regulation of the District of Columbia.

(b) **TAX LAWS.**—For the purposes of the income tax, gift tax, and estate tax laws of the Federal Government, any money or other property given, donated, bequeathed, or devised to a District of Columbia public school or a public charter school, shall be deemed to have been given, donated, bequeathed, or devised to or for the use of the District of Columbia.

#### **Subtitle F—Partnerships With Business**

#### **SEC. 2601. PURPOSE.**

The purpose of this subtitle is—

(1) to leverage private sector funds utilizing initial Federal investments in order to provide students and teachers within the District of Columbia public schools and public charter schools with access to state-of-the-art educational technology;

(2) to establish a regional job training and employment center;

(3) to strengthen workforce preparation initiatives for students within the District of Columbia public schools and public charter schools;

(4) to coordinate private sector investments in carrying out this title; and

(5) to assist the Superintendent with the development of individual career paths in accordance with the long-term reform plan.

#### **SEC. 2602. DUTIES OF THE SUPERINTENDENT OF THE DISTRICT OF COLUMBIA PUBLIC SCHOOLS.**

The Superintendent is authorized to provide a grant to a private, nonprofit corporation that meets the eligibility criteria under section 2603 for the purposes of carrying out the duties under sections 2604 and 2607.

#### **SEC. 2603. ELIGIBILITY CRITERIA FOR PRIVATE, NONPROFIT CORPORATION.**

A private, nonprofit corporation shall be eligible to receive a grant under section 2602 if the corporation is a national business organization incorporated in the District of Columbia, that—

(1) has a board of directors which includes members who are also chief executive officers of technology-related corporations involved in education and workforce development issues;

(2) has extensive practical experience with initiatives that link business resources and expertise with education and training systems;

(3) has experience in working with State and local educational agencies throughout the United States with respect to the integration of academic studies with workforce preparation programs; and

(4) has a nationwide structure through which additional resources can be leveraged and innovative practices disseminated.

#### **SEC. 2604. DUTIES OF THE PRIVATE, NONPROFIT CORPORATION.**

(a) **DISTRICT EDUCATION AND LEARNING TECHNOLOGIES ADVANCEMENT COUNCIL.**—

(1) **ESTABLISHMENT.**—The private, nonprofit corporation shall establish a council to be

known as the "District Education and Learning Technologies Advancement Council" (in this subtitle referred to as the "council").

(2) **MEMBERSHIP.**—

(A) **IN GENERAL.**—The private, nonprofit corporation shall appoint members to the council. An individual shall be appointed as a member to the council on the basis of the commitment of the individual, or the entity which the individual is representing, to providing time, energy, and resources to the council.

(B) **COMPENSATION.**—Members of the council shall serve without compensation.

(3) **DUTIES.**—The council—

(A) shall advise the private, nonprofit corporation with respect to the duties of the corporation under subsections (b) through (d) of this section; and

(B) shall assist the corporation in leveraging private sector resources for the purpose of carrying out such duties.

(b) **ACCESS TO STATE-OF-THE-ART EDUCATIONAL TECHNOLOGY.**—

(1) **IN GENERAL.**—The private, nonprofit corporation, in conjunction with the Superintendent, students, parents, and teachers, shall establish and implement strategies to ensure access to state-of-the-art educational technology within the District of Columbia public schools and public charter schools.

(2) **ELECTRONIC DATA TRANSFER SYSTEM.**—The private, nonprofit corporation shall assist the Superintendent in acquiring the necessary equipment, including computer hardware and software, to establish an electronic data transfer system. The private, nonprofit corporation shall also assist in arranging for training of District of Columbia public school employees in using such equipment.

(3) **TECHNOLOGY ASSESSMENT.**—

(A) **IN GENERAL.**—In establishing and implementing the strategies under paragraph (1), the private, nonprofit corporation, not later than September 1, 1996, shall provide for an assessment of the availability, on the date of enactment of this Act, of state-of-the-art educational technology within the District of Columbia public schools and public charter schools.

(B) **CONDUCT OF ASSESSMENT.**—In providing for the assessment under subparagraph (A), the private, nonprofit corporation—

(i) shall provide for onsite inspections of the state-of-the-art educational technology within a minimum sampling of District of Columbia public schools and public charter schools; and

(ii) shall ensure proper input from students, parents, teachers, and other school officials through the use of focus groups and other appropriate mechanisms.

(C) **RESULTS OF ASSESSMENT.**—The private, nonprofit corporation shall ensure that the assessment carried out under this paragraph provides, at a minimum, necessary information on state-of-the-art educational technology within the District of Columbia public schools and public charter schools, including—

(i) the extent to which typical District of Columbia public schools have access to such state-of-the-art educational technology and training for such technology;

(ii) how such schools are using such technology;

(iii) the need for additional technology and the need for infrastructure for the implementation of such additional technology;

(iv) the need for computer hardware, software, training, and funding for such additional technology or infrastructure; and

(v) the potential for computer linkages among District of Columbia public schools and public charter schools.

(4) **SHORT-TERM TECHNOLOGY PLAN.**—

(A) **IN GENERAL.**—Based upon the results of the technology assessment under paragraph (3), the private, nonprofit corporation shall develop a 3-year plan that includes goals, priorities, and strategies for obtaining the resources necessary to implement strategies to ensure access to state-

of-the-art educational technology within the District of Columbia public schools and public charter schools.

(B) IMPLEMENTATION.—The private, nonprofit corporation, in conjunction with schools, students, parents, and teachers, shall implement the plan developed under subparagraph (A).

(5) LONG-TERM TECHNOLOGY PLAN.—Prior to the completion of the implementation of the short-term technology plan under paragraph (4), the private, nonprofit corporation shall develop a plan under which the corporation will continue to coordinate the donation of private sector resources for maintaining the continuous improvement and upgrading of state-of-the-art educational technology within the District of Columbia public schools and public charter schools.

(c) DISTRICT EMPLOYMENT AND LEARNING CENTER.—

(1) ESTABLISHMENT.—The private, nonprofit corporation shall establish a center to be known as the "District Employment and Learning Center" (in this subtitle referred to as the "center"), which shall serve as a regional institute providing job training and employment assistance.

(2) DUTIES.—

(A) JOB TRAINING AND EMPLOYMENT ASSISTANCE PROGRAM.—The center shall establish a program to provide job training and employment assistance in the District of Columbia and shall coordinate with career preparation programs in existence on the date of enactment of this Act, such as vocational education, school-to-work, and career academies in the District of Columbia public schools.

(B) CONDUCT OF PROGRAM.—In carrying out the program established under subparagraph (A), the center—

(i) shall provide job training and employment assistance to youths who have attained the age of 18 but have not attained the age of 26, who are residents of the District of Columbia, and who are in need of such job training and employment assistance for an appropriate period not to exceed 2 years;

(ii) shall work to establish partnerships and enter into agreements with appropriate agencies of the District of Columbia Government to serve individuals participating in appropriate Federal programs, including programs under the Job Training Partnership Act (29 U.S.C. 1501 et seq.), the Job Opportunities and Basic Skills Training Program under part F of title IV of the Social Security Act (42 U.S.C. 681 et seq.), the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.), and the School-to-Work Opportunities Act of 1994 (20 U.S.C. 6101 et seq.);

(iii) shall conduct such job training, as appropriate, through a consortium of colleges, universities, community colleges, businesses, and other appropriate providers, in the District of Columbia metropolitan area;

(iv) shall design modular training programs that allow students to enter and leave the training curricula depending on their opportunities for job assignments with employers; and

(v) shall utilize resources from businesses to enhance work-based learning opportunities and facilitate access by students to work-based learning and work experience through temporary work assignments with employers in the District of Columbia metropolitan area.

(C) COMPENSATION.—The center may provide compensation to youths participating in the program under this paragraph for part-time work assigned in conjunction with training. Such compensation may include need-based payments and reimbursement of expenses.

(d) WORKFORCE PREPARATION INITIATIVES.—

(1) IN GENERAL.—The private, nonprofit corporation shall establish initiatives with the District of Columbia public schools, and public charter schools, appropriate governmental agencies, and businesses and other private entities, to facilitate the integration of rigorous academic

studies with workforce preparation programs in District of Columbia public schools and public charter schools.

(2) CONDUCT OF INITIATIVES.—In carrying out the initiatives under paragraph (1), the private, nonprofit corporation shall, at a minimum, actively develop, expand, and promote the following programs:

(A) Career academy programs in secondary schools, as such programs are established in certain District of Columbia public schools, which provide a school-within-a-school concept, focusing on career preparation and the integration of the academy programs with vocational and technical curriculum.

(B) Programs carried out in the District of Columbia that are funded under the School-to-Work Opportunities Act of 1994 (20 U.S.C. 6101 et seq.).

#### SEC. 2605. MATCHING FUNDS.

The private, nonprofit corporation, to the extent practicable, shall provide matching funds, or in-kind contributions, or a combination thereof, for the purpose of carrying out the duties of the corporation under section 2604, as follows:

(1) For fiscal year 1997, the nonprofit corporation shall provide matching funds or in-kind contributions of \$1 for every \$1 of Federal funds provided under this subtitle for such year for activities under section 2604.

(2) For fiscal year 1998, the nonprofit corporation shall provide matching funds or in-kind contributions of \$3 for every \$1 of Federal funds provided under this subtitle for such year for activities under section 2604.

(3) For fiscal year 1999, the nonprofit corporation shall provide matching funds or in-kind contributions of \$5 for every \$1 of Federal funds provided under this subtitle for such year for activities under section 2604.

#### SEC. 2606. REPORT.

The private, nonprofit corporation shall prepare and submit to the appropriate congressional committees on a quarterly basis, or, with respect to fiscal year 1997, on a semiannual basis, a report which shall contain—

(1) the activities the corporation has carried out, including the duties of the corporation described in section 2604, for the 3-month period ending on the date of the submission of the report, or, with respect to fiscal year 1997, the 6-month period ending on the date of the submission of the report;

(2) an assessment of the use of funds or other resources donated to the corporation;

(3) the results of the assessment carried out under section 2604(b)(3); and

(4) a description of the goals and priorities of the corporation for the 3-month period beginning on the date of the submission of the report, or, with respect to fiscal year 1997, the 6-month period beginning on the date of the submission of the report.

#### SEC. 2607. JOBS FOR D.C. GRADUATES PROGRAM.

(a) IN GENERAL.—The nonprofit corporation shall establish a program, to be known as the "Jobs for D.C. Graduates Program", to assist District of Columbia public schools and public charter schools in organizing and implementing a school-to-work transition system, which system shall give priority to providing assistance to at-risk youths and disadvantaged youths.

(b) CONDUCT OF PROGRAM.—In carrying out the program established under subsection (a), the nonprofit corporation, consistent with the policies of the nationally recognized Jobs for America's Graduates, Inc., shall—

(1) establish performance standards for such program;

(2) provide ongoing enhancement and improvements in such program;

(3) provide research and reports on the results of such program; and

(4) provide preservice and inservice training.

#### SEC. 2608. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—

(1) DELTA COUNCIL; ACCESS TO STATE-OF-THE-ART EDUCATIONAL TECHNOLOGY; AND WORKFORCE PREPARATION INITIATIVES.—There are authorized to be appropriated to carry out subsections (a), (b), and (d) of section 2604, \$1,000,000 for each of the fiscal years 1997, 1998, and 1999.

(2) DEAL CENTER.—There are authorized to be appropriated to carry out section 2604(c), \$2,000,000 for each of the fiscal years 1997, 1998, and 1999.

(3) JOBS FOR D.C. GRADUATES PROGRAM.—There are authorized to be appropriated to carry out section 2607—

(A) \$2,000,000 for fiscal year 1997; and

(B) \$3,000,000 for each of the fiscal years 1998 through 2001.

(b) AVAILABILITY.—Amounts authorized to be appropriated under subsection (a) are authorized to remain available until expended.

#### SEC. 2609. TERMINATION OF FEDERAL SUPPORT; SENSE OF THE CONGRESS RELATING TO CONTINUATION OF ACTIVITIES.

(a) TERMINATION OF FEDERAL SUPPORT.—The authority under this subtitle to provide assistance to the private, nonprofit corporation or any other entity established pursuant to this subtitle shall terminate on October 1, 1999.

(b) SENSE OF THE CONGRESS RELATING TO CONTINUATION OF ACTIVITIES.—It is the sense of the Congress that—

(1) the activities of the private, nonprofit corporation under section 2604 should continue to be carried out after October 1, 1999, with resources made available from the private sector; and

(2) the corporation should provide oversight and coordination for such activities after such date.

#### Subtitle G—Management and Fiscal Accountability; Preservation of School-Based Resources

##### SEC. 2751. MANAGEMENT SUPPORT SYSTEMS.

(a) FOOD SERVICES AND SECURITY SERVICES.—Notwithstanding any other law, rule, or regulation, the Board of Education shall enter into a contract for academic year 1995–1996 and each succeeding academic year, for the provision of all food services operations and security services for the District of Columbia public schools, unless the Superintendent determines that it is not feasible and provides the Superintendent's reasons in writing to the Board of Education and the Authority.

(b) DEVELOPMENT OF NEW MANAGEMENT AND DATA SYSTEMS.—Notwithstanding any other law, rule, or regulation, the Board of Education shall, in academic year 1995–1996, consult with the Authority on the development of new management and data systems, as well as training of personnel to use and manage the systems in areas of budget, finance, personnel and human resources, management information services, procurement, supply management, and other systems recommended by the Authority. Such plans shall be consistent with, and contemporaneous to, the District of Columbia Government's development and implementation of a replacement for the financial management system for the District of Columbia Government in use on the date of enactment of this Act.

##### SEC. 2752. ACCESS TO FISCAL AND STAFFING DATA.

(a) IN GENERAL.—The budget, financial-accounting, personnel, payroll, procurement, and management information systems of the District of Columbia public schools shall be coordinated and interface with related systems of the District of Columbia Government.

(b) ACCESS.—The Board of Education shall provide read-only access to its internal financial management systems and all other data bases to designated staff of the Mayor, the Council, the Authority, and appropriate congressional committees.

##### SEC. 2753. DEVELOPMENT OF FISCAL YEAR 1997 BUDGET REQUEST.

(a) IN GENERAL.—The Board of Education shall develop its fiscal year 1997 gross operating

budget and its fiscal year 1997 appropriated funds budget request in accordance with this section.

(b) **FISCAL YEAR 1996 BUDGET REVISION.**—Not later than 60 days after enactment of this Act, the Board of Education shall develop, approve, and submit to the Mayor, the District of Columbia Council, the Authority, and appropriate congressional committees, a revised fiscal year 1996 gross operating budget that reflects the amount appropriated in the District of Columbia Appropriations Act, 1996, and which—

(1) is broken out on the basis of appropriated funds and nonappropriated funds, control center, responsibility center, agency reporting code, object class, and object; and

(2) indicates by position title, grade, and agency reporting code, all staff allocated to each District of Columbia public school as of October 15, 1995, and indicates on an object class basis all other-than-personal-services financial resources allocated to each school.

(c) **ZERO-BASE BUDGET.**—For fiscal year 1997, the Board of Education shall build its gross operating budget and appropriated funds request from a zero-base, starting from the local school level through the central office level.

(d) **SCHOOL-BY-SCHOOL BUDGETS.**—The Board of Education's initial fiscal year 1997 gross operating budget and appropriated funds budget request submitted to the Mayor, the District of Columbia Council, and the Authority shall contain school-by-school budgets and shall also—

(1) be broken out on the basis of appropriated funds and nonappropriated funds, control center, responsibility center, agency reporting code, object class, and object;

(2) indicate by position title, grade, and agency reporting code all staff budgeted for each District of Columbia public school, and indicate on an object class basis all other-than-personal-services financial resources allocated to each school; and

(3) indicate the amount and reason for all changes made to the initial fiscal year 1997 gross operating budget and appropriated funds request from the revised fiscal year 1996 gross operating budget required by subsection (b).

#### **SEC. 2754. TECHNICAL AMENDMENTS.**

Section 1120A of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6322) is amended—

(1) in subsection (b)(1), by—

(A) striking “(A) Except as provided in subparagraph (B), a State” and inserting “A State”; and

(B) striking subparagraph (B); and

(2) by adding at the end thereof the following new subsection:

“(d) **EXCLUSION OF FUNDS.**—For the purpose of complying with subsections (b) and (c), a State or local educational agency may exclude supplemental State or local funds expended in any school attendance area or school for programs that meet the intent and purposes of this part.”

#### **SEC. 2755. EVEN START FAMILY LITERACY PROGRAMS.**

Part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6361 et seq.) is amended—

(a) in section 1204(a) (20 U.S.C. 6364(a)), by inserting “intensive” after “cost of providing”; and

(b) in section 1205(4) (20 U.S.C. 6365(4)), by inserting “, intensive” after “high-quality”.

#### **SEC. 2756. PRESERVATION OF SCHOOL-BASED STAFF POSITIONS.**

(a) **RESTRICTIONS ON REDUCTIONS OF SCHOOL-BASED EMPLOYEES.**—To the extent that a reduction in the number of full-time equivalent positions for the District of Columbia public schools is required to remain within the number of full-time equivalent positions established for the public schools in appropriations Acts, no reductions shall be made from the full-time equivalent positions for school-based teachers, principals,

counselors, librarians, or other school-based educational positions that were established as of the end of fiscal year 1995, unless the Authority makes a determination based on student enrollment—that—

(1) fewer school-based positions are needed to maintain established pupil-to-staff ratios; or

(2) reductions in positions for other than school-based employees are not practicable.

(b) **DEFINITION.**—The term “school-based educational position” means a position located at a District of Columbia public school or other position providing direct support to students at such a school, including a position for a clerical, stenographic, or secretarial employee, but not including any part-time educational aide position.

#### **Subtitle H—Establishment and Organization of the Commission on Consensus Reform in the District of Columbia Public Schools**

#### **SEC. 2851. COMMISSION ON CONSENSUS REFORM IN THE DISTRICT OF COLUMBIA PUBLIC SCHOOLS.**

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—There is established within the District of Columbia Government a Commission on Consensus Reform in the District of Columbia Public Schools, consisting of 7 members to be appointed in accordance with paragraph (2).

(2) **MEMBERSHIP.**—The Consensus Commission shall consist of the following members:

(A) 1 member to be appointed by the President chosen from a list of 3 proposed members submitted by the Majority Leader of the Senate.

(B) 1 member to be appointed by the President chosen from a list of 3 proposed members submitted by the Speaker of the House of Representatives.

(C) 2 members to be appointed by the President, of which 1 shall represent the local business community and 1 of which shall be a teacher in a District of Columbia public school.

(D) The President of the District of Columbia Congress of Parents and Teachers.

(E) The President of the Board of Education.

(F) The Superintendent.

(G) The Mayor and District of Columbia Council Chairman shall each name 1 nonvoting ex officio member.

(H) The Chief of the National Guard Bureau who shall be an ex officio member.

(3) **TERMS OF SERVICE.**—The members of the Consensus Commission shall serve for a term of 3 years.

(4) **VACANCIES.**—Any vacancy in the membership of the Consensus Commission shall be filled by the appointment of a new member in the same manner as provided for the vacated membership. A member appointed under this paragraph shall serve the remaining term of the vacated membership.

(5) **QUALIFICATIONS.**—Members of the Consensus Commission appointed under subparagraphs (A), (B), and (C) of paragraph (2) shall be residents of the District of Columbia and shall have a knowledge of public education in the District of Columbia.

(6) **CHAIR.**—The Chair of the Consensus Commission shall be chosen by the Consensus Commission from among its members, except that the President of the Board of Education and the Superintendent shall not be eligible to serve as Chair.

(7) **NO COMPENSATION FOR SERVICE.**—Members of the Consensus Commission shall serve without pay, but may receive reimbursement for any reasonable and necessary expenses incurred by reason of service on the Consensus Commission.

(b) **EXECUTIVE DIRECTOR.**—The Consensus Commission shall have an Executive Director who shall be appointed by the Chair with the consent of the Consensus Commission. The Executive Director shall be paid at a rate determined by the Consensus Commission, except that such rate may not exceed the highest rate of pay payable for level EG-16 of the Educational Service of the District of Columbia.

(c) **STAFF.**—With the approval of the Chair and the Authority, the Executive Director may appoint and fix the pay of additional personnel as the Executive Director considers appropriate, except that no individual appointed by the Executive Director may be paid at a rate greater than the rate of pay for the Executive Director.

(d) **SPECIAL RULE.**—The Board of Education, or the Authority, shall reprogram such funds, as the Chair of the Consensus Commission shall in writing request, subject to the approval of the Authority from amounts available to the Board of Education.

#### **SEC. 2852. PRIMARY PURPOSE AND FINDINGS.**

(a) **PURPOSE.**—The primary purpose of the Consensus Commission is to assist in developing a long-term reform plan that has the support of the District of Columbia community through the participation of representatives of various critical segments of such community in helping to develop and approve the plan.

(b) **FINDINGS.**—The Congress finds that—

(1) experience has shown that the failure of the District of Columbia educational system has been due more to the failure to implement a plan than the failure to develop a plan;

(2) national studies indicate that 50 percent of secondary school graduates lack basic literacy skills, and over 30 percent of the 7th grade students in the District of Columbia public schools drop out of school before graduating;

(3) standard student assessments indicate only average performance for grade level and fail to identify individual students who lack basic skills, allowing too many students to graduate lacking these basic skills and diminishing the worth of a diploma;

(4) experience has shown that successful schools have good community, parent, and business involvement;

(5) experience has shown that reducing dropout rates in the critical middle and secondary school years requires individual student involvement and attention through such activities as arts or athletics; and

(6) experience has shown that close coordination between educators and business persons is required to provide noncollege-bound students the skills necessary for employment, and that personal attention is vitally important to assist each student in developing an appropriate career path.

#### **SEC. 2853. DUTIES AND POWERS OF THE CONSENSUS COMMISSION.**

(a) **PRIMARY RESPONSIBILITY.**—The Board of Education and the Superintendent shall have primary responsibility for developing and implementing the long-term reform plan for education in the District of Columbia.

(b) **DUTIES.**—The Consensus Commission shall—

(1) identify any obstacles to implementation of the long-term reform plan and suggest ways to remove such obstacles;

(2) assist in developing programs that—

(A) ensure every student in a District of Columbia public school achieves basic literacy skills;

(B) ensure every such student possesses the knowledge and skills necessary to think critically and communicate effectively by the completion of grade 8; and

(C) lower the dropout rate in the District of Columbia public schools;

(3) assist in developing districtwide assessments, including individual assessments, that identify District of Columbia public school students who lack basic literacy skills, with particular attention being given to grade 4 and the middle school years, and establish procedures to ensure that a teacher is made accountable for the performance of every such student in such teacher's class;

(4) make recommendations to improve community, parent, and business involvement in District of Columbia public schools and public charter schools;

(5) assess opportunities in the District of Columbia to increase individual student involvement and attention through such activities as arts or athletics, and make recommendations on how to increase such involvement; and

(6) assist in the establishment of procedures that ensure every District of Columbia public school student is provided the skills necessary for employment, including the development of individual career paths.

(c) **POWERS.**—The Consensus Commission shall have the following powers:

(1) To monitor and comment on the development and implementation of the long-term reform plan.

(2) To exercise its authority, as provided in this subtitle, as necessary to facilitate implementation of the long-term reform plan.

(3) To review and comment on the budgets of the Board of Education, the District of Columbia public schools and public charter schools.

(4) To recommend rules concerning the management and direction of the Board of Education that address obstacles to the development or implementation of the long-term reform plan.

(5) To review and comment on the core curriculum for kindergarten through grade 12 developed under subtitle C.

(6) To review and comment on a core curriculum for prekindergarten, vocational and technical training, and adult education.

(7) To review and comment on all other educational programs carried out by the Board of Education and public charter schools.

(8) To review and comment on the districtwide assessments for measuring student achievement in the core curriculum developed under subtitle C.

(9) To review and comment on the model professional development programs for teachers using the core curriculum developed under subtitle C.

(d) **LIMITATIONS.**—

(1) **IN GENERAL.**—Except as otherwise provided in this subtitle, the Consensus Commission shall have no powers to involve itself in the management or operation of the Board of Education with respect to the implementation of the long-term reform plan.

#### **SEC. 2854. IMPROVING ORDER AND DISCIPLINE.**

(a) **COMMUNITY SERVICE REQUIREMENT FOR SUSPENDED STUDENTS.**—

(1) **IN GENERAL.**—Any student suspended from classes at a District of Columbia public school who is required to serve the suspension outside the school shall perform community service for the period of suspension. The community service required by this subsection shall be subject to rules and regulations promulgated by the Mayor.

(2) **EFFECTIVE DATE.**—This subsection shall take effect on the first day of the 1996-1997 academic year.

(b) **EXPIRATION DATE.**—This section, and sections 2101(b)(1)(K) and 2851(a)(2)(H), shall cease to be effective on the last day of the 1997-1998 academic year.

(c) **REPORT.**—The Consensus Commission shall study the effectiveness of the policies implemented pursuant to this section in improving order and discipline in District of Columbia public schools and report its findings to the appropriate congressional committees not later than 60 days prior to the last day of the 1997-1998 academic year.

#### **SEC. 2855. EDUCATIONAL PERFORMANCE AUDITS.**

(a) **IN GENERAL.**—The Consensus Commission may examine and request the Inspector General of the District of Columbia or the Authority to audit the records of the Board of Education to ensure, monitor, and evaluate the performance of the Board of Education with respect to compliance with the long-term reform plan and such plan's overall educational achievement. The Consensus Commission shall conduct an annual review of the educational performance of the Board of Education with respect to meeting the

goals of such plan for such year. The Board of Education shall cooperate and assist in the review or audit as requested by the Consensus Commission.

(b) **AUDIT.**—The Consensus Commission may examine and request the Inspector General of the District of Columbia or the Authority to audit the records of any public charter school to assure, monitor, and evaluate the performance of the public charter school with respect to the content standards and districtwide assessments described in section 2311(b). The Consensus Commission shall receive a copy of each public charter school's annual report.

#### **SEC. 2856. INVESTIGATIVE POWERS.**

The Consensus Commission may investigate any action or activity which may hinder the progress of any part of the long-term reform plan. The Board of Education shall cooperate and assist the Consensus Commission in any investigation. Reports of the findings of any such investigation shall be provided to the Board of Education, the Superintendent, the Mayor, the District of Columbia Council, the Authority, and the appropriate congressional committees.

#### **SEC. 2857. RECOMMENDATIONS OF THE CONSENSUS COMMISSION.**

(a) **IN GENERAL.**—The Consensus Commission may at any time submit recommendations to the Board of Education, the Mayor, the District of Columbia Council, the Authority, the Board of Trustees of any public charter school and the Congress with respect to actions the District of Columbia Government or the Federal Government should take to ensure implementation of the long-term reform plan.

(b) **AUTHORITY ACTIONS.**—Pursuant to the District of Columbia Financial Responsibility and Management Assistance Act of 1995 or upon the recommendation of the Consensus Commission, the Authority may take whatever actions the Authority deems necessary to ensure the implementation of the long-term reform plan.

#### **SEC. 2858. EXPIRATION DATE.**

Except as otherwise provided in this subtitle, this subtitle shall be effective during the period beginning on the date of enactment of this Act and ending 7 years after such date.

#### **Subtitle I—Parent Attendance at Parent-Teacher Conferences**

##### **SEC. 2901. POLICY.**

Notwithstanding any other provision of law, the Mayor is authorized to develop and implement a policy encouraging all residents of the District of Columbia with children attending a District of Columbia public school to attend and participate in at least one parent-teacher conference every 90 days during the academic year.

This title may be cited as the "District of Columbia School Reform Act of 1995".

(c) For programs, projects or activities in the Department of the Interior and Related Agencies Appropriations Act, 1996, provided as follows, to be effective as if it had been enacted into law as the regular appropriations Act:

AN ACT Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes

#### **TITLE I—DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT**

##### **MANAGEMENT OF LANDS AND RESOURCES**

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96-487 (16 U.S.C. 3150(a)), \$567,453,000, to remain available until expended, of which \$2,000,000 shall be

available for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96-487 (16 U.S.C. 3150), and of which \$4,000,000 shall be derived from the special receipt account established by section 4 of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-6a(i)): Provided, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors; and in addition, \$27,650,000 for Mining Law Administration program operations, to remain available until expended, to be reduced by amounts collected by the Bureau of Land Management and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than \$567,453,000: Provided further, That in addition to funds otherwise available, and to remain available until expended, not to exceed \$5,000,000 from annual mining claim fees shall be credited to this account for the costs of administering the mining claim fee program, and \$2,000,000 from communication site rental fees established by the Bureau.

##### **WILDLAND FIRE MANAGEMENT**

For necessary expenses for fire use and management, fire preparedness, emergency presuppression, suppression operations, emergency rehabilitation, and renovation or construction of fire facilities in the Department of the Interior, \$235,924,000, to remain available until expended, of which not to exceed \$5,025,000, shall be available for the renovation or construction of fire facilities: Provided, That notwithstanding any other provision of law, persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: Provided further, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: Provided further, That unobligated balances of amounts previously appropriated to the Fire Protection and Emergency Department of the Interior Firefighting Fund may be transferred or merged with this appropriation.

##### **CENTRAL HAZARDOUS MATERIALS FUND**

For expenses necessary for use by the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended (42 U.S.C. 9601 et seq.), \$10,000,000, to remain available until expended: Provided, That, notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to sections 107 or 113(f) of the Comprehensive Environmental Response, Compensation and Liability Act, as amended (42 U.S.C. 9607 or 9613(f)), shall be credited to this account and shall be available without further appropriation and shall remain available until expended: Provided further, That such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary of the Interior and which shall be credited to this account.

##### **CONSTRUCTION AND ACCESS**

For acquisition of lands and interests therein, and construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, \$3,115,000, to remain available until expended.

##### **PAYMENTS IN LIEU OF TAXES**

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901-07), \$113,500,000, of which not to exceed \$400,000 shall be available for administrative expenses.



## LAND ACQUISITION

For expenses necessary to carry out the provisions of sections 205, 206, and 318(d) of Public Law 94-579 including administrative expenses and acquisition of lands or waters, or interests therein, \$12,800,000 to be derived from the Land and Water Conservation Fund, to remain available until expended.

## OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or adjacent to such grant lands; \$97,452,000, to remain available until expended: Provided, That 25 per centum of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the provisions of the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

## RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 per centum of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$9,113,000, to remain available until expended: Provided, That not to exceed \$600,000 shall be available for administrative expenses.

## SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under sections 209(b), 304(a), 304(b), 305(a), and 504(g) of the Act approved October 21, 1976 (43 U.S.C. 1701), and sections 101 and 203 of Public Law 93-153, to be immediately available until expended: Provided, That notwithstanding any provision to the contrary of section 305(a) of the Act of October 21, 1976 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this or subsequent appropriations Acts by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such forfeiture, compromise, or settlement are used on the exact lands damaged to which led to the forfeiture, compromise, or settlement: Provided further, That such moneys are in excess of amounts needed to repair damage to the exact land for which collected.

## MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing law, there is hereby ap-

propriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

## ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to \$100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau of Land Management; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on his certificate, not to exceed \$10,000: Provided, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly-produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards.

UNITED STATES FISH AND WILDLIFE SERVICE  
RESOURCE MANAGEMENT

For expenses necessary for scientific and economic studies, conservation, management, investigations, protection, and utilization of fishery and wildlife resources, except whales, seals, and sea lions, and for the performance of other authorized functions related to such resources; for the general administration of the United States Fish and Wildlife Service; and for maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge; and not less than \$1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93-408, \$501,010,000, to remain available for obligation until September 30, 1997, of which \$4,000,000 shall be available for activities under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533), of which \$11,557,000 shall be available until expended for operation and maintenance of fishery mitigation facilities constructed by the Corps of Engineers under the Lower Snake River Compensation Plan, authorized by the Water Resources Development Act of 1976 (90 Stat. 2921), to compensate for loss of fishery resources from water development projects on the Lower Snake River: Provided, That unobligated and unexpended balances in the Resource Management account at the end of fiscal year 1995, shall be merged with and made a part of the fiscal year 1996 Resource Management appropriation, and shall remain available for obligation until September 30, 1997: Provided further, That no monies appropriated under this or any other Act shall be used by the Secretary of the Interior or by the Secretary of Commerce to implement subsections (a), (b), (c), (e), (g) or (i) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533), until such time as legislation reauthorizing the Act is enacted or until the end of fiscal year 1996, whichever is earlier, except that monies may be used to delist or reclassify species pursuant to sections 4(a)(2)(B), 4(c)(2)(B)(i), and 4(c)(2)(B)(ii) of the Endangered Species Act, and to issue emergency listings under section 4(b)(7) of the Endangered Species Act: Provided further, That the President is authorized to suspend the provisions of the preceding proviso if he determines that such suspension is appropriate based upon the public interest in sound environmental management, sustainable resource use, protection of national or locally-affected interests, or protection of any cultural, biological or historic resources. Any suspension by the President shall take ef-

fect on such date, and continue in effect for such period (not to extend beyond the period in which the preceding proviso would otherwise be in effect), as the President may determine, and shall be reported to the Congress.

## CONSTRUCTION

For construction and acquisition of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; \$37,655,000, to remain available until expended.

## NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601, et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), the Oil Pollution Act of 1990 (Public Law 101-380), and the Act of July 27, 1990 (Public Law 101-337); \$4,000,000, to remain available until expended: Provided, That sums provided by any party in fiscal year 1996 and thereafter are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated or otherwise disposed of by the Secretary and such sums or properties shall be utilized for the restoration of injured resources, and to conduct new damage assessment activities.

## LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4-11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, \$36,900,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

COOPERATIVE ENDANGERED SPECIES  
CONSERVATION FUND

For expenses necessary to carry out the provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), as amended by Public Law 100-478, \$8,085,000 for grants to States, to be derived from the Cooperative Endangered Species Conservation Fund, and to remain available until expended.

## NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), \$10,779,000.

## REWARDS AND OPERATIONS

For expenses necessary to carry out the provisions of the African Elephant Conservation Act (16 U.S.C. 4201-4203, 4211-4213, 4221-4225, 4241-4245, and 1538), \$600,000, to remain available until expended.

## NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101-233, \$6,750,000, to remain available until expended.

LAHONTAN VALLEY AND PYRAMID LAKE FISH AND  
WILDLIFE FUND

For carrying out section 206(f) of Public Law 101-618, such sums as have previously been credited or may be credited hereafter to the Lahontan Valley and Pyramid Lake Fish and Wildlife Fund, to be available until expended without further appropriation.

## RHINOCEROS AND TIGER CONSERVATION FUND

For deposit to the Rhinoceros and Tiger Conservation Fund, \$200,000, to remain available until expended, to be available to carry out the provisions of the Rhinoceros and Tiger Conservation Act of 1994 (Public Law 103-391).

WILDLIFE CONSERVATION AND APPRECIATION  
FUND

For deposit to the Wildlife Conservation and Appreciation Fund, \$800,000, to remain available until expended.

## ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 113 passenger motor vehicles; not to exceed \$400,000 for payment, at the discretion of the Secretary, for information, rewards, or evidence concerning violations of laws administered by the United States Fish and Wildlife Service, and miscellaneous and emergency expenses of enforcement activities, authorized or approved by the Secretary and to be accounted for solely on his certificate; repair of damage to public roads within and adjacent to reservation areas caused by operations of the United States Fish and Wildlife Service; options for the purchase of land at not to exceed \$1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the United States Fish and Wildlife Service and to which the United States has title, and which are utilized pursuant to law in connection with management and investigation of fish and wildlife resources: Provided, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly-produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the co-operator is capable of meeting accepted quality standards: Provided further, That the United States Fish and Wildlife Service may accept donated aircraft as replacements for existing aircraft: Provided further, That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report 103-551: Provided further, That none of the funds made available in this Act may be used by the U. S. Fish and Wildlife Service to impede or delay the issuance of a wetlands permit by the U. S. Army Corps of Engineers to the City of Lake Jackson, Texas, for the development of a public golf course west of Buffalo Camp Bayou between the Brazos River and Highway 332: Provided further, That the Director of the Fish and Wildlife Service may charge reasonable fees for expenses to the Federal Government for providing training by the National Education and Training Center: Provided further, That all training fees collected shall be available to the Director, until expended, without further appropriation, to be used for the costs of training and education provided by the National Education and Training Center: Provided further, That with respect to lands leased for farming pursuant to Public Law 88-567, if for any reason the Secretary disapproves for use in 1996 or does not finally approve for use in 1996 any pesticide or chemical which was approved for use in 1995 or had been requested for use in 1996 by the submission of a pesticide use proposal as of September 19, 1995, none of the funds in this Act may be used to develop, implement, or enforce regulations or policies (including pesticide use proposals) related to the use of chemicals and pest management that are more restrictive than the requirements of applicable State and Federal laws related to the use of chemicals and pest management practices on non-Federal lands.

## NATIONAL PARK SERVICE

## OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to

trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not to exceed \$1,593,000 for the Volunteers-in-Parks program, and not less than \$1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93-408, \$1,082,481,000, without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451), of which not to exceed \$72,000,000, to remain available until expended is to be derived from the special fee account established pursuant to title V, section 5201, of Public Law 100-203.

## NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, \$37,649,000: Provided, That \$236,000 of the funds provided herein are for the William O. Douglas Outdoor Education Center, subject to authorization.

## HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the provisions of the Historic Preservation Act of 1966 (80 Stat. 915), as amended (16 U.S.C. 470), \$36,212,000, to be derived from the Historic Preservation Fund, established by section 108 of that Act, as amended, to remain available for obligation until September 30, 1997.

## CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, \$143,225,000, to remain available until expended: Provided, That not to exceed \$4,500,000 of the funds provided herein shall be paid to the Army Corps of Engineers for modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989: Provided further, That funds provided under this head, derived from the Historic Preservation Fund, established by the Historic Preservation Act of 1966 (80 Stat. 915), as amended (16 U.S.C. 470), may be available until expended to render sites safe for visitors and for building stabilization.

## LAND AND WATER CONSERVATION FUND

## (RESCISSION)

The contract authority provided for fiscal year 1996 by 16 U.S.C. 4601-10a is rescinded.

## LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4-11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with statutory authority applicable to the National Park Service, \$49,100,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and of which \$1,500,000 is to administer the State assistance program: Provided, That any funds made available for the purpose of acquisition of the Elwha and Glines dams shall be used solely for acquisition, and shall not be expended until the full purchase amount has been appropriated by the Congress.

## ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 518 passenger motor vehicles, of which 323 shall be for replacement only, including not to exceed 411 for police-type use, 12 buses, and 5 ambulances: Provided, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided further, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not includ-

ing any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may enter into cooperative agreements that involve the transfer of National Park Service appropriated funds to State, local and tribal governments, other public entities, educational institutions, and private nonprofit organizations for the public purpose of carrying out National Park Service programs.

The National Park Service shall, within existing funds, conduct a Feasibility Study for a northern access route into Denali National Park and Preserve in Alaska, to be completed within one year of the enactment of this Act and submitted to the House and Senate Committees on Appropriations and to the Senate Committee on Energy and Natural Resources and the House Committee on Resources. The Feasibility Study shall ensure that resource impacts from any plan to create such access route are evaluated with accurate information and according to a process that takes into consideration park values, visitor needs, a full range of alternatives, the viewpoints of all interested parties, including the tourism industry and the State of Alaska, and potential needs for compliance with the National Environmental Policy Act. The Study shall also address the time required for development of alternatives and identify all associated costs.

This Feasibility Study shall be conducted solely by the National Park Service planning personnel permanently assigned to National Park Service offices located in the State of Alaska in consultation with the State of Alaska Department of Transportation.

## UNITED STATES GEOLOGICAL SURVEY

## SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, and the mineral and water resources of the United States, its Territories and possessions, and other areas as authorized by law (43 U.S.C. 31, 1332 and 1340); classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; and to conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law and to publish and disseminate data; \$730,163,000, of which \$62,130,000 shall be available for cooperation with States or municipalities for water resources investigations, and of which \$137,000,000 for resource research and the operations of Cooperative Research Units shall remain available until September 30, 1997, and of which \$16,000,000 shall remain available until expended for conducting inquiries into the economic conditions affecting mining and materials processing industries: Provided, That no part of this appropriation shall be used to pay more than one-half the cost of any topographic mapping or water resources investigations carried on in cooperation with any State or municipality: Provided further, That funds available herein for resource research may be used for the purchase of not to exceed 61 passenger motor vehicles, of which 55 are for replacement only: Provided further, That none of the funds available under this head for resource research shall

be used to conduct new surveys on private property, including new aerial surveys for the designation of habitat under the Endangered Species Act, except when it is made known to the Federal official having authority to obligate or expend such funds that the survey or research has been requested and authorized in writing by the property owner or the owner's authorized representative: Provided further, That none of the funds provided herein for resource research may be used to administer a volunteer program when it is made known to the Federal official having authority to obligate or expend such funds that the volunteers are not properly trained or that information gathered by the volunteers is not carefully verified: Provided further, That no later than April 1, 1996, the Director of the United States Geological Survey shall issue agency guidelines for resource research that ensure that scientific and technical peer review is utilized as fully as possible in selection of projects for funding and ensure the validity and reliability of research and data collection on Federal lands: Provided further, That no funds available for resource research may be used for any activity that was not authorized prior to the establishment of the National Biological Survey: Provided further, That once every five years the National Academy of Sciences shall review and report on the resource research activities of the Survey: Provided further, That if specific authorizing legislation is enacted during or before the start of fiscal year 1996, the resource research component of the Survey should comply with the provisions of that legislation: Provided further, That unobligated and unexpended balances in the National Biological Survey, Research, inventories and surveys account at the end of fiscal year 1995, shall be merged with and made a part of the United States Geological Survey, Surveys, investigations, and research account and shall remain available for obligation until September 30, 1996: Provided further, That the authority granted to the United States Bureau of Mines to conduct mineral surveys and to determine mineral values by section 603 of Public Law 94-579 is hereby transferred to, and vested in, the Director of the United States Geological Survey.

#### ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geological Survey shall be available for purchase of not to exceed 22 passenger motor vehicles, for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the United States Geological Survey appointed, as authorized by law, to represent the United States in the negotiation and administration of interstate compacts: Provided, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302, et seq.

#### MINERALS MANAGEMENT SERVICE

##### ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only; \$182,555,000, of which not less than \$70,105,000 shall be available for royalty man-

agement activities; and an amount not to exceed \$15,400,000 for the Technical Information Management System and Related Activities of the Outer Continental Shelf (OCS) Lands Activity, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for OCS administrative activities performed by the Minerals Management Service over and above the rates in effect on September 30, 1993, and from additional fees for OCS administrative activities established after September 30, 1993: Provided, That beginning in fiscal year 1996 and thereafter, fees for royalty rate relief applications shall be established (and revised as needed) in Notices to Lessees, and shall be credited to this account in the program areas performing the function, and remain available until expended for the costs of administering the royalty rate relief authorized by 43 U.S.C. 1337(a)(3): Provided further, That \$1,500,000 for computer acquisitions shall remain available until September 30, 1997: Provided further, That funds appropriated under this Act shall be available for the payment of interest in accordance with 30 U.S.C. 1721 (b) and (d): Provided further, That not to exceed \$3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: Provided further, That notwithstanding any other provision of law, \$15,000 under this head shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service concurred with the claimed refund due, to pay amounts owed to Indian allottees or Tribes, or to correct prior unrecoverable erroneous payments: Provided further, That beginning in fiscal year 1996 and thereafter, the Secretary shall take appropriate action to collect unpaid and underpaid royalties and late payment interest owed by Federal and Indian mineral lessees and other royalty payors on amounts received in settlement or other resolution of disputes under, and for partial or complete termination of, sales agreements for minerals from Federal and Indian leases.

#### OIL SPILL RESEARCH

For necessary expenses to carry out the purposes of title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, \$6,440,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

#### BUREAU OF MINES

##### MINES AND MINERALS

For expenses necessary for, and incidental to, the closure of the United States Bureau of Mines, \$64,000,000, to remain available until expended, of which not to exceed \$5,000,000 may be used for the completion and/or transfer of certain ongoing projects within the United States Bureau of Mines, such projects to be identified by the Secretary of the Interior within 90 days of enactment of this Act: Provided, That there hereby are transferred to, and vested in, the Secretary of Energy: (1) the functions pertaining to the promotion of health and safety in mines and the mineral industry through research vested by law in the Secretary of the Interior or the United States Bureau of Mines and performed in fiscal year 1995 by the United States Bureau of Mines at its Pittsburgh Research Center in Pennsylvania, and at its Spokane Research Center in Washington; (2) the functions pertaining to the conduct of inquiries, technological investigations and research concerning the extraction, processing, use and disposal of mineral substances vested by law in the Secretary of the Interior or the United States Bureau of Mines and performed in fiscal year 1995 by the United States Bureau of Mines under the minerals and materials science programs at its Pittsburgh Research Center in Pennsylvania, and at its Albany Research Cen-

ter in Oregon; and (3) the functions pertaining to mineral reclamation industries and the development of methods for the disposal, control, prevention, and reclamation of mineral waste products vested by law in the Secretary of the Interior or the United States Bureau of Mines and performed in fiscal year 1995 by the United States Bureau of Mines at its Pittsburgh Research Center in Pennsylvania: Provided further, That, if any of the same functions were performed in fiscal year 1995 at locations other than those listed above, such functions shall not be transferred to the Secretary of Energy from those other locations: Provided further, That the Director of the Office of Management and Budget, in consultation with the Secretary of Energy and the Secretary of the Interior, is authorized to make such determinations as may be necessary with regard to the transfer of functions which relate to or are used by the Department of the Interior, or component thereof affected by this transfer of functions, and to make such dispositions of personnel, facilities, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to or to be made available in connection with, the functions transferred herein as are deemed necessary to accomplish the purposes of this transfer: Provided further, That all reductions in personnel complements resulting from the provisions of this Act shall, as to the functions transferred to the Secretary of Energy, be done by the Secretary of the Interior as though these transfers had not taken place but had been required of the Department of the Interior by all other provisions of this Act before the transfers of function became effective: Provided further, That the transfers of function to the Secretary of Energy shall become effective on the date specified by the Director of the Office of Management and Budget, but in no event later than 90 days after enactment into law of this Act: Provided further, That the reference to "function" includes, but is not limited to, any duty, obligation, power, authority, responsibility, right, privilege, and activity, or the plural thereof, as the case may be.

#### ADMINISTRATIVE PROVISIONS

The Secretary is authorized to accept lands, buildings, equipment, other contributions, and fees from public and private sources, and to prosecute projects using such contributions and fees in cooperation with other Federal, State or private agencies: Provided, That the Bureau of Mines is authorized, during the current fiscal year, to sell directly or through any Government agency, including corporations, any metal or mineral products that may be manufactured in pilot plants operated by the Bureau of Mines, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: Provided further, That notwithstanding any other provision of law, the Secretary is authorized to convey, without reimbursement, title and all interest of the United States in property and facilities of the United States Bureau of Mines in Juneau, Alaska, to the City and Borough of Juneau, Alaska; in Tuscaloosa, Alabama, to the University of Alabama; in Rolla, Missouri, to the University of Missouri-Rolla; and in other localities to such university or government entities as the Secretary deems appropriate.

#### OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

##### REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not to exceed 15 passenger motor vehicles for replacement only; \$95,470,000, and notwithstanding 31 U.S.C. 3302, an additional amount shall be credited to this account, to remain available until expended, from performance bond forfeitures in

fiscal year 1996: Provided, That notwithstanding any other provision of law, the Secretary of the Interior, pursuant to regulations, may utilize directly or through grants to States, moneys collected in fiscal year 1996 pursuant to the assessment of civil penalties under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: Provided further, That notwithstanding any other provision of law, appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

#### ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out the provisions of title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not more than 22 passenger motor vehicles for replacement only, \$173,887,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: Provided, That grants to minimum program States will be \$1,500,000 per State in fiscal year 1996: Provided further, That of the funds herein provided up to \$18,000,000 may be used for the emergency program authorized by section 410 of Public Law 95-87, as amended, of which no more than 25 per centum shall be used for emergency reclamation projects in any one State and funds for Federally-administered emergency reclamation projects under this proviso shall not exceed \$11,000,000: Provided further, That prior year unobligated funds appropriated for the emergency reclamation program shall not be subject to the 25 per centum limitation per State and may be used without fiscal year limitation for emergency projects: Provided further, That pursuant to Public Law 97-365, the Department of the Interior is authorized to utilize up to 20 per centum from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: Provided further, That funds made available to States under title IV of Public Law 95-87 may be used, at their discretion, for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act.

#### BUREAU OF INDIAN AFFAIRS

##### OPERATION OF INDIAN PROGRAMS

For operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants including expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment of care, tuition, assistance, and other expenses of Indians in boarding homes, or institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order; management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; development of Indian arts and crafts, as authorized by law; for the general administration of the Bureau of Indian Affairs, including such expenses in field offices; maintaining of Indian reservation roads as defined in section 101 of title 23, United States Code; and construction, repair, and improvement of Indian housing, \$1,384,434,000, of which not to exceed \$100,255,000 shall be for welfare assistance grants and not to exceed

\$104,626,000 shall be for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts or grants or compacts entered into with the Bureau of Indian Affairs prior to fiscal year 1996, as authorized by the Indian Self-Determination Act of 1975, as amended, and up to \$5,000,000 shall be for the Indian Self-Determination Fund, which shall be available for the transitional cost of initial or expanded tribal contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act; and of which not to exceed \$330,711,000 for school operations costs of Bureau-funded schools and other education programs shall become available for obligation on July 1, 1996, and shall remain available for obligation until September 30, 1997; and of which not to exceed \$68,209,000 for higher education scholarships, adult vocational training, and assistance to public schools under the Act of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.), shall remain available for obligation until September 30, 1997; and of which not to exceed \$71,854,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, self-governance grants, the Indian Self-Determination Fund, and the Navajo-Hopi Settlement Program: Provided, That tribes and tribal contractors may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants or compact agreements: Provided further, That funds made available to tribes and tribal organizations through contracts or grants obligated during fiscal year 1996, as authorized by the Indian Self-Determination Act of 1975 (88 Stat. 2203; 25 U.S.C. 450 et seq.), or grants authorized by the Indian Education Amendments of 1988 (25 U.S.C. 2001 and 2008A) shall remain available until expended by the contractor or grantee: Provided further, That to provide funding uniformity within a Self-Governance Compact, any funds provided in this Act with availability for more than one year may be reprogrammed to one year availability but shall remain available within the Compact until expended: Provided further, That notwithstanding any other provision of law, Indian tribal governments may, by appropriate changes in eligibility criteria or by other means, change eligibility for general assistance or change the amount of general assistance payments for individuals within the service area of such tribe who are otherwise deemed eligible for general assistance payments so long as such changes are applied in a consistent manner to individuals similarly situated: Provided further, That any savings realized by such changes shall be available for use in meeting other priorities of the tribes: Provided further, That any net increase in costs to the Federal Government which result solely from tribally increased payment levels for general assistance shall be met exclusively from funds available to the tribe from within its tribal priority allocation: Provided further, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 1996, may be transferred during fiscal year 1997 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account: Provided further, That any such unobligated balances not so transferred shall expire on September 30, 1997: Provided further, That notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs, other than the amounts provided herein for assistance to public schools under the Act of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.), shall be available to support the operation of any elementary or secondary school in the State of Alaska in fiscal year 1996: Provided further, That funds made available in this or any other Act for expenditure through September 30, 1997 for schools funded by the Bureau of Indian Affairs shall be available only to the schools which are in the Bureau of Indian Affairs

school system as of September 1, 1995: Provided further, That no funds available to the Bureau of Indian Affairs shall be used to support expanded grades for any school beyond the grade structure in place at each school in the Bureau of Indian Affairs school system as of October 1, 1995: Provided further, That notwithstanding the provisions of 25 U.S.C. 2011(h)(1)(B) and (c), upon the recommendation of a local school board for a Bureau of Indian Affairs operated school, the Secretary shall establish rates of basic compensation or annual salary rates for the positions of teachers and counselors (including dormitory and homeliving counselors) at the school at a level not less than that for comparable positions in public school districts in the same geographic area, to become effective on July 1, 1997: Provided further, That of the funds available only through September 30, 1995, not to exceed \$8,000,000 in unobligated and unexpended balances in the Operation of Indian Programs account shall be merged with and made a part of the fiscal year 1996 Operation of Indian Programs appropriation, and shall remain available for obligation for employee severance, relocation, and related expenses, until September 30, 1996.

#### CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands and interests in lands; and preparation of lands for farming, \$100,833,000, to remain available until expended: Provided, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project and for other water resource development activities related to the Southern Arizona Water Rights Settlement Act may be transferred to the Bureau of Reclamation: Provided further, That not to exceed 6 per centum of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau of Indian Affairs: Provided further, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a non-reimbursable basis: Provided further, That for the fiscal year ending September 30, 1996, in implementing new construction or facilities improvement and repair project grants in excess of \$100,000 that are provided to tribally controlled grant schools under Public Law 100-297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: Provided further, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: Provided further, That in considering applications, the Secretary shall consider whether the Indian tribe or tribal organization would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(a), with respect to organizational and financial management capabilities: Provided further, That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2505(f): Provided further, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2508(e).

#### INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, \$80,645,000, to remain available until expended; of which \$78,600,000 shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 87-483, 97-293, 101-618, 102-374,

102-441, 102-575, and 103-116, and for implementation of other enacted water rights settlements, including not to exceed \$8,000,000, which shall be for the Federal share of the Catawba Indian Tribe of South Carolina Claims Settlement, as authorized by section 5(a) of Public Law 103-116; and of which \$1,045,000 shall be available pursuant to Public Laws 98-500, 99-264, and 100-580; and of which \$1,000,000 shall be available (1) to liquidate obligations owed tribal and individual Indian payees of any checks canceled pursuant to section 1003 of the Competitive Equality Banking Act of 1987 (Public Law 100-86 (101 Stat. 659)), 31 U.S.C. 3334(b), (2) to restore to Individual Indian Monies trust funds, Indian Irrigation Systems, and Indian Power Systems accounts amounts invested in credit unions or defaulted savings and loan associations and which were not Federally insured, and (3) to reimburse Indian trust fund account holders for losses to their respective accounts where the claim for said loss(es) has been reduced to a judgment or settlement agreement approved by the Department of Justice.

#### TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES

For payment of management and technical assistance requests associated with loans and grants approved under the Indian Financing Act of 1974, as amended, \$500,000.

#### INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans \$4,500,000, as authorized by the Indian Financing Act of 1974, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$35,914,000.

In addition, for administrative expenses necessary to carry out the guaranteed loan program, \$500,000.

#### ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs shall be available for expenses of exhibits, and purchase of not to exceed 275 passenger carrying motor vehicles, of which not to exceed 215 shall be for replacement only.

#### TERRITORIAL AND INTERNATIONAL AFFAIRS

##### ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, \$65,188,000, of which (1) \$61,661,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94-241; 90 Stat. 272); and (2) \$3,527,000 shall be available for salaries and expenses of the Office of Insular Affairs: Provided, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or utilized by such governments, may be audited by the General Accounting Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: Provided further, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 99-396, or any subsequent legislation related to Commonwealth of the Northern Mariana Islands Covenant grant funding: Provided fur-

ther, That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: Provided further, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance of capital infrastructure in American Samoa, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia through assessments of long-range operations and maintenance needs, improved capability of local operations and maintenance institutions and agencies (including management and vocational education training), and project-specific maintenance (with territorial participation and cost sharing to be determined by the Secretary based on the individual territory's commitment to timely maintenance of its capital assets): Provided further, That any appropriation for disaster assistance under this head in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

#### COMPACT OF FREE ASSOCIATION

For economic assistance and necessary expenses for the Federated States of Micronesia and the Republic of the Marshall Islands as provided for in sections 122, 221, 223, 232, and 233 of the Compacts of Free Association, and for economic assistance and necessary expenses for the Republic of Palau as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, \$24,938,000, to remain available until expended, as authorized by Public Law 99-239 and Public Law 99-658: Provided, That notwithstanding section 112 of Public Law 101-219 (103 Stat. 1873), the Secretary of the Interior may agree to technical changes in the specifications for the project described in the subsidiary agreement negotiated under section 212(a) of the Compact of Free Association, Public Law 99-658, or its annex, if the changes do not result in increased costs to the United States.

#### DEPARTMENTAL OFFICES

##### DEPARTMENTAL MANAGEMENT

##### SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, \$56,912,000, of which not to exceed \$7,500 may be for official reception and representation expenses.

##### OFFICE OF THE SOLICITOR

##### SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, \$34,427,000.

##### OFFICE OF INSPECTOR GENERAL

##### SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, \$23,939,000.

##### CONSTRUCTION MANAGEMENT

##### SALARIES AND EXPENSES

For necessary expenses of the Office of Construction Management, \$500,000.

##### NATIONAL INDIAN GAMING COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses of the National Indian Gaming Commission, pursuant to Public Law 100-497, \$1,000,000: Provided, That on March 1, 1996, the Chairman shall submit to the Secretary a report detailing those Indian tribes or tribal organizations with gaming operations that are in full compliance, partial compliance, or non-compliance with the provisions of the Indian Gaming Regulatory Act (25 U.S.C. 2701, et seq.): Provided further, That the information contained in the report shall be updated on a continuing basis.

#### OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

##### FEDERAL TRUST PROGRAMS

For operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, \$16,338,000, of which \$15,891,000 shall remain available until expended for trust funds management: Provided, That funds made available to tribes and tribal organizations through contracts or grants obligated during fiscal year 1996, as authorized by the Indian Self-Determination Act of 1975 (88 Stat. 2203; 25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: Provided further, That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with the accounting of such funds from which the beneficiary can determine whether there has been a loss: Provided further, That obligated and unobligated balances provided for trust funds management within "Operation of Indian programs", Bureau of Indian Affairs are hereby transferred to and merged with this appropriation.

#### ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: Provided, That notwithstanding any other provision of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft: Provided further, That no programs funded with appropriated funds in "Departmental Management", "Office of the Solicitor", and "Office of Inspector General" may be augmented through the Working Capital Fund or the Consolidated Working Fund.

#### GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: Provided, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: Provided further, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary,

pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primary State is not carrying out the regulatory provisions of the Surface Mining Act: Provided, That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: Provided further, That for emergency rehabilitation and wildfire suppression activities, no funds shall be made available under this authority until funds appropriated to the "Emergency Department of the Interior Firefighting Fund" shall have been exhausted: Provided further, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 and must be replenished by a supplemental appropriation which must be requested as promptly as possible: Provided further, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, United States Code: Provided, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902 and D.C. Code 4-204).

SEC. 106. Appropriations made in this title shall be available for obligation in connection with contracts issued for services or rentals for periods not in excess of twelve months beginning at any time during the fiscal year.

SEC. 107. Appropriations made in this title from the Land and Water Conservation Fund for acquisition of lands and waters, or interests therein, shall be available for transfer, with the approval of the Secretary, between the following accounts: Bureau of Land Management, Land acquisition, United States Fish and Wildlife Service, Land acquisition, and National Park Service, Land acquisition and State assistance. Use of such funds are subject to the reprogramming guidelines of the House and Senate Committees on Appropriations.

SEC. 108. Prior to the transfer of Presidio properties to the Presidio Trust, when authorized, the Secretary may not obligate in any cal-

endar month more than  $\frac{1}{12}$  of the fiscal year 1996 appropriation for operation of the Presidio: Provided, That this section shall expire on December 31, 1995.

SEC. 109. Section 6003 of Public Law 101-380 is hereby repealed.

SEC. 110. None of the funds appropriated or otherwise made available by this Act may be obligated or expended by the Secretary of the Interior for developing, promulgating, and thereafter implementing a rule concerning rights-of-way under section 2477 of the Revised Statutes.

SEC. 111. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore leasing and related activities placed under restriction in the President's moratorium statement of June 26, 1990, in the areas of Northern, Central, and Southern California; the North Atlantic; Washington and Oregon; and the Eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

SEC. 112. No funds provided in this title may be expended by the Department of the Interior for the conduct of leasing, or the approval or permitting of any drilling or other exploration activity, on lands within the North Aleutian Basin planning area.

SEC. 113. No funds provided in this title may be expended by the Department of the Interior for the conduct of preleasing and leasing activities in the Eastern Gulf of Mexico for Outer Continental Shelf Lease Sale 151 in the Outer Continental Shelf Natural Gas and Oil Resource Management Comprehensive Program, 1992-1997.

SEC. 114. No funds provided in this title may be expended by the Department of the Interior for the conduct of preleasing and leasing activities in the Atlantic for Outer Continental Shelf Lease Sale 164 in the Outer Continental Shelf Natural Gas and Oil Resource Management Comprehensive Program, 1992-1997.

SEC. 115. (a) Of the funds appropriated by this Act or any subsequent Act providing for appropriations in fiscal years 1996 and 1997, not more than 50 percent of any self-governance funds that would otherwise be allocated to each Indian tribe in the State of Washington shall actually be paid to or on account of such Indian tribe from and after the time at which such tribe shall—

(1) take unilateral action that adversely impacts the existing rights to and/or customary uses of, nontribal member owners of fee simple land within the exterior boundary of the tribe's reservation to water, electricity, or any other similar utility or necessity for the nontribal members' residential use of such land; or

(2) restrict or threaten to restrict said owners use of or access to publicly maintained rights-of-way necessary or desirable in carrying the utilities or necessities described above.

(b) Such penalty shall not attach to the initiation of any legal actions with respect to such rights or the enforcement of any final judgments, appeals from which have been exhausted, with respect thereto.

SEC. 116. Within 30 days after the enactment of this Act, the Department of the Interior shall issue a specific schedule for the completion of the Lake Cushman Land Exchange Act (Public Law 102-436) and shall complete the exchange not later than September 30, 1996.

SEC. 117. Notwithstanding Public Law 90-544, as amended, the National Park Service is authorized to expend appropriated funds for maintenance and repair of the Company Creek Road in the Lake Chelan National Recreation Area: Provided, That appropriated funds shall not be expended for the purpose of improving the property of private individuals unless specifically authorized by law.

SEC. 118. Section 4(b) of Public Law 94-241 (90 Stat. 263) as added by section 10 of Public Law 99-396 is amended by deleting "until Congress otherwise provides by law." and inserting in lieu thereof: "except that, for fiscal years 1996

through 2002, payments to the Commonwealth of the Northern Mariana Islands pursuant to the multi-year funding agreements contemplated under the Covenant shall be \$11,000,000 annually, subject to an equal local match and all other requirements set forth in the Agreement of the Special Representatives on Future Federal Financial Assistance of the Northern Mariana Islands, executed on December 17, 1992 between the special representative of the President of the United States and special representatives of the Governor of the Northern Mariana Islands with any additional amounts otherwise made available under this section in any fiscal year and not required to meet the schedule of payments in this subsection to be provided as set forth in subsection (c) until Congress otherwise provides by law.

"(c) The additional amounts referred to in subsection (b) shall be made available to the Secretary for obligation as follows:

"(1) for fiscal years 1996 through 2001, \$4,580,000 annually for capital infrastructure projects as Impact Aid for Guam under section 104(c)(6) of Public Law 99-239;

"(2) for fiscal year 1996, \$7,700,000 shall be provided for capital infrastructure projects in American Samoa; \$4,420,000 for resettlement of Rongelap Atoll; and

"(3) for fiscal years 1997 and thereafter, all such amounts shall be available solely for capital infrastructure projects in Guam, the Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Federated States of Micronesia and the Republic of the Marshall Islands: Provided, That, in fiscal year 1997, \$3,000,000 of such amounts shall be made available to the College of the Northern Marianas and beginning in fiscal year 1997, and in each year thereafter, not to exceed \$3,000,000 may be allocated, as provided in appropriations Acts, to the Secretary of the Interior for use by Federal agencies or the Commonwealth of the Northern Mariana Islands to address immigration, labor, and law enforcement issues in the Northern Mariana Islands. The specific projects to be funded in American Samoa shall be set forth in a five-year plan for infrastructure assistance developed by the Secretary of the Interior in consultation with the American Samoa Government and updated annually and submitted to the Congress concurrent with the budget justifications for the Department of the Interior. In developing budget recommendations for capital infrastructure funding, the Secretary shall indicate the highest priority projects, consider the extent to which particular projects are part of an overall master plan, whether such project has been reviewed by the Corps of Engineers and any recommendations made as a result of such review, the extent to which a set-aside for maintenance would enhance the life of the project, the degree to which a local cost-share requirement would be consistent with local economic and fiscal capabilities, and may propose an incremental set-aside, not to exceed \$2,000,000 per year, to remain available without fiscal year limitation, as an emergency fund in the event of natural or other disasters to supplement other assistance in the repair, replacement, or hardening of essential facilities: Provided further, That the cumulative amount set aside for such emergency fund may not exceed \$10,000,000 at any time.

"(d) Within the amounts allocated for infrastructure pursuant to this section, and subject to the specific allocations made in subsection (c), additional contributions may be made, as set forth in appropriations Acts, to assist in the resettlement of Rongelap Atoll: Provided, That the total of all contributions from any Federal source after enactment of this Act may not exceed \$32,000,000 and shall be contingent upon an agreement, satisfactory to the President, that such contributions are a full and final settlement of all obligations of the United States to assist in the resettlement of Rongelap Atoll and



that such funds will be expended solely on resettlement activities and will be properly audited and accounted for. In order to provide such contributions in a timely manner, each Federal agency providing assistance or services, or conducting activities, in the Republic of the Marshall Islands, is authorized to make funds available through the Secretary of the Interior, to assist in the resettlement of Rongelap. Nothing in this subsection shall be construed to limit the provision of ex gratia assistance pursuant to section 105(c)(2) of the Compact of Free Association Act of 1985 (Public Law 99-239, 99 Stat. 1770, 1792) including for individuals choosing not to resettle at Rongelap, except that no such assistance for such individuals may be provided until the Secretary notifies the Congress that the full amount of all funds necessary for resettlement at Rongelap has been provided."

SEC. 119. (a) Until the National Park Service has prepared a final conceptual management plan for the Mojave National Preserve that incorporates traditional multiple uses of the region, the Secretary of the Interior shall not take any action to change the management of the area which differs from the historical management practices of the Bureau of Land Management. Prior to using any funds in excess of \$1,100,000 for operation of the Preserve in fiscal year 1996, the Secretary must obtain the approval of the House and Senate Committees on Appropriations. This provision expires on September 30, 1996.

(b) The President is authorized to suspend the provisions of subsection (a) of this section if he determines that such suspension is appropriate based upon the public interest in sound environmental management, sustainable resource use, protection of national or locally-affected interests, or protection of any cultural, biological or historic resources. Any suspension by the President shall take effect on such date, and continue in effect for such period (not to extend beyond the period in which subsection (a) would otherwise be in effect), as the President may determine, and shall be reported to the Congress.

#### TITLE II—RELATED AGENCIES DEPARTMENT OF AGRICULTURE

##### FOREST SERVICE FOREST RESEARCH

For necessary expenses of forest research as authorized by law, \$178,000,000, to remain available until September 30, 1997.

##### STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with, and providing technical and financial assistance to States, Territories, possessions, and others and for forest pest management activities, cooperative forestry and education and land conservation activities, \$136,884,000, to remain available until expended, as authorized by law: Provided, That of funds available under this heading for Pacific Northwest Assistance in this or prior appropriations Acts, \$200,000 shall be provided to the World Forestry Center for purposes of continuing scientific research and other authorized efforts regarding the land exchange efforts in the Umpqua River Basin Region.

##### NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, for ecosystem planning, inventory, and monitoring, and for administrative expenses associated with the management of funds provided under the heads "Forest Research", "State and Private Forestry", "National Forest System", "Construction", "Fire Protection and Emergency Suppression", and "Land Acquisition", \$1,257,057,000, to remain available for obligation until September 30, 1997, and including 65 per centum of all monies received during the prior fiscal year as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance

with section 4 of the Act (16 U.S.C. 4601-6a(i)): Provided, That unobligated and unexpended balances in the National Forest System account at the end of fiscal year 1995, shall be merged with and made a part of the fiscal year 1996 National Forest System appropriation, and shall remain available for obligation until September 30, 1997: Provided further, That up to \$5,000,000 of the funds provided herein for road maintenance shall be available for the planned obliteration of roads which are no longer needed.

##### WILDLAND FIRE MANAGEMENT

For necessary expenses for forest fire suppression activities on National Forest System lands, for emergency fire suppression on or adjacent to National Forest System lands or other lands under fire protection agreement, and for emergency rehabilitation of burned over National Forest System lands, \$385,485,000, to remain available until expended: Provided, That unexpended balances of amounts previously appropriated under any other headings for Forest Service fire activities may be transferred to and merged with this appropriation: Provided further, That such funds are available for repayment of advances from other appropriations accounts previously transferred for such purposes.

##### CONSTRUCTION

For necessary expenses of the Forest Service, not otherwise provided for, \$163,600,000, to remain available until expended, for construction and acquisition of buildings and other facilities, and for construction and repair of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532-538 and 23 U.S.C. 101 and 205: Provided, That funds becoming available in fiscal year 1996 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury of the United States: Provided further, That not to exceed \$50,000,000, to remain available until expended, may be obligated for the construction of forest roads by timber purchasers: Provided further, That \$2,500,000 of the funds appropriated herein shall be available for a grant to the "Non-Profit Citizens for the Columbia Gorge Discovery Center" for the construction of the Columbia Gorge Discovery Center: Provided further, That the Forest Service is authorized to grant the unobligated balance of funds appropriated in fiscal year 1995 for the construction of the Columbia Gorge Discovery Center and related trail construction funds to the "Non-Profit Citizens for the Columbia Gorge Discovery Center" to be used for the same purpose: Provided further, That the Forest Service is authorized to convey the land needed for the construction of the Columbia Gorge Discovery Center without cost to the "Non-Profit Citizens for the Columbia Gorge Discovery Center": Provided further, That notwithstanding any other provision of law, funds originally appropriated under this head in Public Law 101-512 for the Forest Service share of a new research facility at the University of Missouri, Columbia, shall be available for a grant to the University of Missouri, as the Federal share in the construction of the new facility: Provided further, That agreed upon lease of space in the new facility shall be provided to the Forest Service without charge for the life of the building.

##### LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-41), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, \$39,400,000, to be derived from the Land and Water Conservation Fund, to remain available until expended: Provided, That funding for specific land acquisition are subject to the approval of the House and Senate Committees on Appropriations.

##### ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch

National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, \$1,069,000, to be derived from forest receipts.

##### ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended.

##### RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 per centum of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the sixteen Western States, pursuant to section 401(b)(1) of Public Law 94-579, as amended, to remain available until expended, of which not to exceed 6 per centum shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

##### GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), \$92,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

##### SOUTHEAST ALASKA ECONOMIC DISASTER FUND

(a) There is hereby established in the Treasury a Southeast Alaska Economic Disaster Fund. There are hereby appropriated \$110,000,000, which shall be deposited into this account, which shall be available without further appropriation or fiscal year limitation. All monies from the Fund shall be distributed by the Secretary of Agriculture in accordance with the provisions set forth herein.

(b) None of the funds provided under this heading shall be available unless the President exercises the authority provided in section 325(c) of this Act.

(c)(1) The Secretary shall provide \$40,000,000 in direct grants from the Fund for fiscal year 1996 and \$10,000,000 in each of fiscal years 1997, 1998, and 1999 to communities in Alaska as follows:

(A) to the City and Borough of Sitka, \$8,000,000 in fiscal year 1996 and \$2,000,000 in each of fiscal years 1997, 1998, and 1999;

(B) to the City of Wrangell, \$18,700,000 in fiscal year 1996 and \$4,700,000 in each of fiscal years 1997, 1998, and 1999; and

(C) to the City of Borough of Ketchikan, \$13,300,000 in fiscal year 1996 and \$3,300,000 in each of fiscal years 1997, 1998, and 1999.

(2) The funds provided under paragraph (1) shall be used to employ former timber workers in Wrangell and Sitka, and for related community development projects in Sitka, Wrangell, and Ketchikan.

(3) The Secretary shall allocate an additional \$10,000,000 from the Fund for each of fiscal years 1996, 1997, 1998, and 1999 to communities in Alaska according to the following percentage:

(A) the Borough of Haines, 5.5 percent;

(B) the City of Borough of Juneau, 10.3 percent;

(C) the Ketchikan Gateway of Borough, 4.5 percent;

(D) the City of Borough of Sitka, 10.8 percent;

(E) the City of Borough of Yakutat, 7.4 percent; and

(F) the unorganized Boroughs within the Tongass National Forest, 61.5 percent.

(4) Funds provided pursuant to paragraph (3)(F) shall be allocated by the Secretary of Agriculture to the unorganized Boroughs in the Tongass National Forest in the same proportion as timber receipts were made available to such Boroughs in fiscal year 1995, and shall be in addition to any other monies provided to such Boroughs under this Act or any other law.

## ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (a) purchase of not to exceed 183 passenger motor vehicles of which 32 will be used primarily for law enforcement purposes and of which 151 shall be for replacement; acquisition of 22 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed two for replacement only, and acquisition of 20 aircraft from excess sources; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (b) services pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$100,000 for employment under 5 U.S.C. 3109; (c) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (d) acquisition of land, waters, and interests therein, pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); (e) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, 558a note); and (f) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

None of the funds made available under this Act shall be obligated or expended to change the boundaries of any region, to abolish any region, to move or close any regional office for research, State and private forestry, or National Forest System administration of the Forest Service, Department of Agriculture, or to implement any reorganization, "reinvention" or other type of organizational restructuring of the Forest Service, other than the relocation of the Regional Office for Region 5 of the Forest Service from San Francisco to excess military property at Mare Island, Vallejo, California, without the consent of the House and Senate Committees on Appropriations and the Committee on Agriculture, Nutrition, and Forestry and the Committee on Energy and Natural Resources in the United States Senate and the Committee on Agriculture and the Committee on Resources in the United States House of Representatives.

Any appropriations or funds available to the Forest Service may be advanced to the Fire and Emergency Suppression appropriation and may be used for forest firefighting and the emergency rehabilitation of burned-over lands under its jurisdiction: Provided, That no funds shall be made available under this authority until funds appropriated to the "Emergency Forest Service Firefighting Fund" shall have been exhausted.

Any funds available to the Forest Service may be used for retrofitting Mare Island facilities to accommodate the relocation: Provided, That funds for the move must come from funds otherwise available to Region 5: Provided further, That any funds to be provided for such purposes shall only be available upon approval of the House and Senate Committees on Appropriations.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Foreign Agricultural Service in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

None of the funds made available to the Forest Service under this Act shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b unless the proposed transfer is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report 103-551.

No funds appropriated to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture without the approval of the Chief of the Forest Service.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service may be used to disseminate program information to private and public individuals and organizations through the use of non-monetary items of nominal value and to provide nonmonetary awards of nominal value and to incur necessary expenses for the nonmonetary recognition of private individuals and organizations that make contributions to Forest Service programs.

Notwithstanding any other provision of law, money collected, in advance or otherwise, by the Forest Service under authority of section 101 of Public Law 93-153 (30 U.S.C. 185(l)) as reimbursement of administrative and other costs incurred in processing pipeline right-of-way or permit applications and for costs incurred in monitoring the construction, operation, maintenance, and termination of any pipeline and related facilities, may be used to reimburse the applicable appropriation to which such costs were originally charged.

Funds available to the Forest Service shall be available to conduct a program of not less than \$1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93-408.

None of the funds available in this Act shall be used for timber sale preparation using clearcutting in hardwood stands in excess of 25 percent of the fiscal year 1989 harvested volume in the Wayne National Forest, Ohio: Provided, That this limitation shall not apply to hardwood stands damaged by natural disaster: Provided further, That landscape architects shall be used to maintain a visually pleasing forest.

Any money collected from the States for fire suppression assistance rendered by the Forest Service on non-Federal lands not in the vicinity of National Forest System lands shall be used to reimburse the applicable appropriation and shall remain available until expended as the Secretary may direct in conducting activities authorized by 16 U.S.C. 2101 (note), 2101-2110, 1606, and 2111.

Of the funds available to the Forest Service, \$1,500 is available to the Chief of the Forest Service for official reception and representation expenses.

Notwithstanding any other provision of law, the Forest Service is authorized to employ or otherwise contract with persons at regular rates of pay, as determined by the Service, to perform work occasioned by emergencies such as fires, storms, floods, earthquakes or any other unavoidable cause without regard to Sundays, Federal holidays, and the regular workweek.

To the greatest extent possible, and in accordance with the Final Amendment to the Shawnee National Forest Plan, none of the funds available in this Act shall be used for preparation of timber sales using clearcutting or other forms of even aged management in hardwood stands in the Shawnee National Forest, Illinois.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.

Notwithstanding any other provision of law, eighty percent of the funds appropriated to the Forest Service in the National Forest System and Construction accounts and planned to be allocated to activities under the "Jobs in the Woods" program for projects on National Forest land in the State of Washington may be granted directly to the Washington State Department of Fish and Wildlife for accomplishment of planned projects. Twenty percent of said funds shall be retained by the Forest Service for planning and administering projects. Project selection and prioritization shall be accomplished by

the Forest Service with such consultation with the State of Washington as the Forest Service deems appropriate.

For one year after enactment of this Act, the Secretary shall continue the current Tongass Land Management Plan (TLMP) and may accommodate commercial tourism (if an agreement is signed between the Forest Service and the Alaska Visitors' Association) except that during this period, the Secretary shall maintain at least the number of acres of suitable available and suitable scheduled timber lands, and Allowable Sale Quantity as identified in the Preferred Alternative (Alternative P) in the Tongass Land and Resources Management Plan and Final Environmental Impact Statement (dated October 1992) as selected in the Record of Decision Review Draft #3-2/93. Nothing in this paragraph shall be interpreted to mandate clear-cutting or require the sale of timber and nothing in this paragraph, including the ASQ identified in Alternative P, shall be construed to limit the Secretary's consideration of new information or to prejudice future revision, amendment or modification of TLMP based upon sound, verifiable scientific data.

If the Forest Service determines in a Supplemental Evaluation to an Environmental Impact Statement that no additional analysis under the National Environmental Policy Act or section 810 of the Alaska National Interest Lands Conservation Act is necessary for any timber sale or offering which has been prepared for acceptance by, or award to, a purchaser after December 31, 1988, that has been subsequently determined by the Forest Service to be available for sale or offering to one or more other purchaser, the change of purchasers for whatever reason shall not be considered a significant new circumstance, and the Forest Service may offer or award such timber sale or offering to a different purchaser or offeree, notwithstanding any other provision of law. A determination by the Forest Service pursuant to this paragraph shall not be subject to judicial review.

None of the funds appropriated under this Act for the Forest Service shall be made available for the purpose of applying paint to rocks, or rock colorization: Provided, That notwithstanding any other provision of law, the Forest Service shall not require of any individual or entity, as part of any permitting process under its authority, or as a requirement of compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the painting or colorization of rocks.

## DEPARTMENT OF ENERGY

## FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95-91), including the acquisition of interest, including de-feasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for promoting health and safety in mines and the mineral industry through research (30 U.S.C. 3, 861(b), and 951(a)), for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), and for the development of methods for the disposal, control, prevention, and reclamation of waste products in the mining, minerals, metal, and mineral reclamation industries (30 U.S.C. 3 and 21a), \$417,018,000, to remain available until expended: Provided, That no part of the sum herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas.

## ALTERNATIVE FUELS PRODUCTION

## (INCLUDING TRANSFER OF FUNDS)

Monies received as investment income on the principal amount in the Great Plains Project

Trust at the Norwest Bank of North Dakota, in such sums as are earned as of October 1, 1995, shall be deposited in this account and immediately transferred to the General Fund of the Treasury. Monies received as revenue sharing from the operation of the Great Plains Gasification Plant shall be immediately transferred to the General Fund of the Treasury.

#### NAVAL PETROLEUM AND OIL SHALE RESERVES

For necessary expenses in carrying out naval petroleum and oil shale reserve activities, \$148,786,000, to remain available until expended: Provided, That the requirements of 10 U.S.C. 7430(b)(2)(B) shall not apply to fiscal year 1996: Provided further, That section 501 of Public Law 101-45 is hereby repealed.

#### ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, \$553,189,000, to remain available until expended, including, notwithstanding any other provision of law, the excess amount for fiscal year 1996 determined under the provisions of section 3003(d) of Public Law 99-509 (15 U.S.C. 4502), and of which \$16,000,000 shall be derived from available unobligated balances in the Biomass Energy Development account: Provided, That \$140,696,000 shall be for use in energy conservation programs as defined in section 3008(3) of Public Law 99-509 (15 U.S.C. 4507) and shall not be available until excess amounts are determined under the provisions of section 3003(d) of Public Law 99-509 (15 U.S.C. 4502): Provided further, That notwithstanding section 3003(d)(2) of Public Law 99-509 such sums shall be allocated to the eligible programs as follows: \$114,196,000 for the weatherization assistance program and \$26,500,000 for the State energy conservation program.

#### ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Economic Regulatory Administration and the Office of Hearings and Appeals, \$6,297,000, to remain available until expended.

#### STRATEGIC PETROLEUM RESERVE

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), \$287,000,000, to remain available until expended, of which \$187,000,000 shall be derived by transfer of unobligated balances from the "SPR petroleum account" and \$100,000,000 shall be derived by transfer from the "SPR Decommissioning Fund": Provided, That notwithstanding section 161 of the Energy Policy and Conservation Act, the Secretary shall draw down and sell up to seven million barrels of oil from the Strategic Petroleum Reserve: Provided further, That the proceeds from the sale shall be deposited into a special account in the Treasury, to be established and known as the "SPR Decommissioning Fund", and shall be available for the purpose of removal of oil from and decommissioning of the Weeks Island site and for other purposes related to the operations of the Strategic Petroleum Reserve.

#### SPR PETROLEUM ACCOUNT

Notwithstanding 42 U.S.C. 6240(d) the United States share of crude oil in Naval Petroleum Reserve Numbered 1 (Elk Hills) may be sold or otherwise disposed of to other than the Strategic Petroleum Reserve: Provided, That outlays in fiscal year 1996 resulting from the use of funds in this account shall not exceed \$5,000,000.

#### ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, \$72,266,000, to remain available until expended: Provided, That notwithstanding section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d)) or any other provision of law, funds appropriated under this heading hereafter may be used to enter into a contract for end use

consumption surveys for a term not to exceed eight years: Provided further, That notwithstanding any other provision of law, hereafter the Manufacturing Energy Consumption Survey shall be conducted on a triennial basis.

#### ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Appropriations under this Act for the current fiscal year shall be available for hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase, repair, and cleaning of uniforms; and reimbursement to the General Services Administration for security guard services.

From appropriations under this Act, transfers of sums may be made to other agencies of the Government for the performance of work for which the appropriation is made.

None of the funds made available to the Department of Energy under this Act shall be used to implement or finance authorized price support or loan guarantee programs unless specific provision is made for such programs in an appropriations Act.

The Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, private, or foreign: Provided, That revenues and other moneys received by or for the account of the Department of Energy or otherwise generated by sale of products in connection with projects of the Department appropriated under this Act may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: Provided further, That the remainder of revenues after the making of such payments shall be covered into the Treasury as miscellaneous receipts: Provided further, That any contract, agreement, or provision thereof entered into by the Secretary pursuant to this authority shall not be executed prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full comprehensive report on such project, including the facts and circumstances relied upon in support of the proposed project.

No funds provided in this Act may be expended by the Department of Energy to prepare, issue, or process procurement documents for programs or projects for which appropriations have not been made.

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

##### INDIAN HEALTH SERVICE

##### INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, \$1,747,842,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 300aaa-2 for services furnished by the Indian Health Service: Provided, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That \$12,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: Provided further, That \$350,564,000 for contract medical care shall remain available for obligation until September 30,

1997: Provided further, That of the funds provided, not less than \$11,306,000 shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act, as amended: Provided further, That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: Provided further, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall be available for two fiscal years after the fiscal year in which they were collected, for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): Provided further, That of the funds provided, \$7,500,000 shall remain available until expended, for the Indian Self-Determination Fund, which shall be available for the transitional costs of initial or expanded tribal contracts, grants or cooperative agreements with the Indian Health Service under the provisions of the Indian Self-Determination Act: Provided further, That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available for obligation until September 30, 1997: Provided further, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act, as amended, shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended.

#### INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act and the Indian Health Care Improvement Act, and for expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, \$238,958,000, to remain available until expended: Provided, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities.

#### ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901-5902); and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities: Provided, That in accordance with

the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651-53) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: Provided further, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86-121 (the Indian Sanitation Facilities Act) and Public Law 93-638, as amended: Provided further, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: Provided further, That the Indian Health Service shall neither bill nor charge those Indians who may have the economic means to pay unless and until such time as Congress has agreed upon a specific policy to do so and has directed the Indian Health Service to implement such a policy: Provided further, That, notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant or agreement authorized by title I of the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), may be deobligated and reobligated to a self-governance funding agreement under title III of the Indian Self-Determination and Education Assistance Act of 1975 and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: Provided further, That funds made available in this Act are to be apportioned to the Indian Health Service as appropriated in this Act, and accounted for in the appropriation structure set forth in this Act: Provided further, That the appropriation structure for the Indian Health Service may not be altered without advance approval of the House and Senate Committees on Appropriations.

DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY  
EDUCATION

INDIAN EDUCATION

For necessary expenses to carry out, to the extent not otherwise provided, title IX, part A, subpart 1 of the Elementary and Secondary Education Act of 1965, as amended, and section 215 of the Department of Education Organization Act, \$52,500,000.

OTHER RELATED AGENCIES  
OFFICE OF NAVAJO AND HOPI INDIAN  
RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93-531, \$20,345,000, to remain available until expended: Provided, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: Provided further, That none of the funds contained in this or any other Act

may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: Provided further, That no relocatee will be provided with more than one new or replacement home: Provided further, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d-10.

INSTITUTE OF AMERICAN INDIAN AND ALASKA  
NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99-498 (20 U.S.C. 4401 et seq.), \$5,500,000.

SMITHSONIAN INSTITUTION  
SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed thirty years), and protection of buildings, facilities, and approaches; not to exceed \$100,000 for services as authorized by 5 U.S.C. 3109; up to 5 replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees; \$311,188,000, of which not to exceed \$3,000,000 for voluntary incentive payments and other costs associated with employee separations pursuant to section 339 of this Act shall remain available until expended, and of which not to exceed \$30,472,000 for the instrumentation program, collections acquisition, Museum Support Center equipment and move, exhibition reinstallation, the National Museum of the American Indian, the repatriation of skeletal remains program, research equipment, information management, and Latino programming shall remain available until expended and, including such funds as may be necessary to support American overseas research centers and a total of \$125,000 for the Council of American Overseas Research Centers: Provided, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL  
ZOOLOGICAL PARK

For necessary expenses of planning, construction, remodeling, and equipping of buildings and facilities at the National Zoological Park, by contract or otherwise, \$3,250,000, to remain available until expended.

REPAIR AND RESTORATION OF BUILDINGS

For necessary expenses of repair and restoration of buildings owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed \$10,000 for services as authorized by 5 U.S.C. 3109, \$33,954,000, to remain available until expended: Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or restoration of buildings of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

CONSTRUCTION

For necessary expenses for construction, \$27,700,000, to remain available until expended.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901-5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, \$51,844,000, of which not to exceed \$3,026,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF  
BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized, \$6,442,000, to remain available until expended: Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING  
ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, \$10,323,000: Provided, That 40 U.S.C. 193n is hereby amended by striking the word "and" after the word "Institution" and inserting in lieu thereof a comma, and by inserting "and the Trustees of the John F. Kennedy Center for the Performing Arts," after the word "Art,".

CONSTRUCTION

For necessary expenses of capital repair and rehabilitation of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, \$8,983,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR  
SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, \$5,840,000.

NATIONAL FOUNDATION ON THE ARTS AND THE  
HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$82,259,000, shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to groups and individuals pursuant to section 5(c) of the Act, and for administering the functions of the Act, to remain available until September 30, 1997.

## MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$17,235,000, to remain available until September 30, 1997, to the National Endowment for the Arts, of which \$7,500,000 shall be available for purposes of section 5(p)(1): Provided, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of section 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

## NATIONAL ENDOWMENT FOR THE HUMANITIES

## GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$94,000,000, shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until September 30, 1997.

## MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$16,000,000, to remain available until September 30, 1997, of which \$10,000,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): Provided, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

## INSTITUTE OF MUSEUM SERVICES

## GRANTS AND ADMINISTRATION

For carrying out title II of the Arts, Humanities, and Cultural Affairs Act of 1976, as amended, \$21,000,000, to remain available until September 30, 1997.

## ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses.

## COMMISSION OF FINE ARTS

## SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), \$834,000.

## NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99-190 (99 Stat. 1261; 20 U.S.C. 956(a)), as amended, \$6,000,000.

## ADVISORY COUNCIL ON HISTORIC PRESERVATION

## SALARIES AND EXPENSES

For expenses necessary for the Advisory Council on Historic Preservation, \$2,500,000.

## NATIONAL CAPITAL PLANNING COMMISSION

## SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-71i), including services as authorized by 5 U.S.C. 3109, \$5,090,000: Provided, That all appointed members will be compensated at a rate not to exceed the rate for Executive Schedule Level IV.

## FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

## SALARIES AND EXPENSES

For necessary expenses of the Franklin Delano Roosevelt Memorial Commission, established by the Act of August 11, 1955 (69 Stat. 694), as amended by Public Law 92-332 (86 Stat. 401), \$147,000, to remain available until September 30, 1997.

## PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

## PUBLIC DEVELOPMENT

Funds made available under this heading in prior years shall be available for operating and administrative expenses and for the orderly closure of the Corporation, as well as operating and administrative expenses for the functions transferred to the General Services Administration.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL  
HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96-388, as amended, \$28,707,000; of which \$1,575,000 for the Museum's repair and rehabilitation program and \$1,264,000 for the Museum's exhibition program shall remain available until expended.

## TITLE III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 302. No part of any appropriation under this Act shall be available to the Secretary of the Interior or the Secretary of Agriculture for the leasing of oil and natural gas by non-competitive bidding on publicly owned lands within the boundaries of the Shawnee National Forest, Illinois: Provided, That nothing herein is intended to inhibit or otherwise affect the sale, lease, or right to access to minerals owned by private individuals.

SEC. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 304. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such Committees.

SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c; popularly known as the "Buy American Act").

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, pur-

chase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 308. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (*sequoiadendron giganteum*) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 1995.

SEC. 309. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 310. Where the actual costs of construction projects under self-determination contracts, compacts, or grants, pursuant to Public Laws 93-638, 103-413, or 100-297, are less than the estimated costs thereof, use of the resulting excess funds shall be determined by the appropriate Secretary after consultation with the tribes.

SEC. 311. Notwithstanding Public Law 103-413, quarterly payments of funds to tribes and tribal organizations under annual funding agreements pursuant to section 108 of Public Law 93-638, as amended, may be made on the first business day following the first day of a fiscal quarter.

SEC. 312. None of funds appropriated or otherwise made available by this Act may be used for the AmeriCorps program, unless the relevant agencies of the Department of the Interior and/or Agriculture follow appropriate reprogramming guidelines: Provided, That if no funds are provided for the AmeriCorps program by the VA-HUD and Independent Agencies fiscal year 1996 appropriations bill, then none of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps programs.

SEC. 313. (a) On or before April 1, 1996, the Pennsylvania Avenue Development Corporation shall—

(1) transfer and assign in accordance with this section all of its rights, title, and interest in and to all of the leases, covenants, agreements, and easements it has executed or will execute by March 31, 1996, in carrying out its powers and duties under the Pennsylvania Avenue Development Corporation Act (40 U.S.C. 871-885) and the Federal Triangle Development Act (40 U.S.C. 1101-1109) to the General Services Administration, National Capital Planning Commission, or the National Park Service; and

(2) except as provided by subsection (d), transfer all rights, title, and interest in and to all property, both real and personal, held in the name of the Pennsylvania Avenue Development Corporation to the General Services Administration.

(b) The responsibilities of the Pennsylvania Avenue Development Corporation transferred to the General Services Administration under subsection (a) include, but are not limited to, the following:

(1) Collection of revenue owed the Federal Government as a result of real estate sales or

lease agreements entered into by the Pennsylvania Avenue Development Corporation and private parties, including, at a minimum, with respect to the following projects:

- (A) The Willard Hotel property on Square 225.
- (B) The Gallery Row project on Square 457.
- (C) The Lansburgh's project on Square 431.
- (D) The Market Square North project on Square 407.

(2) Collection of sale or lease revenue owed the Federal Government (if any) in the event two undeveloped sites owned by the Pennsylvania Avenue Development Corporation on Squares 457 and 406 are sold or leased prior to April 1, 1996.

(3) Application of collected revenue to repay United States Treasury debt incurred by the Pennsylvania Avenue Development Corporation in the course of acquiring real estate.

(4) Performing financial audits for projects in which the Pennsylvania Avenue Development Corporation has actual or potential revenue expectation, as identified in paragraphs (1) and (2), in accordance with procedures described in applicable sale or lease agreements.

(5) Disposition of real estate properties which are or become available for sale and lease or other uses.

(6) Payment of benefits in accordance with the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 to which persons in the project area squares are entitled as a result of the Pennsylvania Avenue Development Corporation's acquisition of real estate.

(7) Carrying out the responsibilities of the Pennsylvania Avenue Development Corporation under the Federal Triangle Development Act (40 U.S.C. 1101-1109), including responsibilities for managing assets and liabilities of the Corporation under such Act.

(c) In carrying out the responsibilities of the Pennsylvania Avenue Development Corporation transferred under this section, the Administrator of the General Services Administration shall have the following powers:

(1) To acquire lands, improvements, and properties by purchase, lease or exchange, and to sell, lease, or otherwise dispose of real or personal property as necessary to complete the development plan developed under section 5 of the Pennsylvania Avenue Development Corporation Act of 1972 (40 U.S.C. 874) if a notice of intention to carry out such acquisition or disposal is first transmitted to the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Environment and Public Works and the Committee on Appropriations of the Senate and at least 60 days elapse after the date of such transmission.

(2) To modify from time to time the plan referred to in paragraph (1) if such modification is first transmitted to the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Environment and Public Works and the Committee on Appropriations of the Senate and at least 60 days elapse after the date of such transmission.

(3) To maintain any existing Pennsylvania Avenue Development Corporation insurance programs.

(4) To enter into and perform such leases, contracts, or other transactions with any agency or instrumentality of the United States, the several States, or the District of Columbia or with any person, firm, association, or corporation as may be necessary to carry out the responsibilities of the Pennsylvania Avenue Development Corporation under the Federal Triangle Development Act (40 U.S.C. 1101-1109).

(5) To request the Council of the District of Columbia to close any alleys necessary for the completion of development in Square 457.

(6) To use all of the funds transferred from the Pennsylvania Avenue Development Corporation or income earned on Pennsylvania Avenue

Development Corporation property to complete any pending development projects.

(d)(1)(A) On or before April 1, 1996, the Pennsylvania Avenue Development Corporation shall transfer all its right, title, and interest in and to the property described in subparagraph (B) to the National Park Service, Department of the Interior.

(B) The property referred to in subparagraph (A) is the property located within the Pennsylvania Avenue National Historic Site depicted on a map entitled "Pennsylvania Avenue National Historic Park", dated June 1, 1995, and numbered 840-82441, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Pennsylvania Avenue National Historic Site includes the parks, plazas, sidewalks, special lighting, trees, sculpture, and memorials.

(2) Jurisdiction of Pennsylvania Avenue and all other roadways from curb to curb shall remain with the District of Columbia but vendors shall not be permitted to occupy street space except during temporary special events.

(3) The National Park Service shall be responsible for management, administration, maintenance, law enforcement, visitor services, resource protection, interpretation, and historic preservation at the Pennsylvania Avenue National Historic Site.

(4) The National Park Service may enter into contracts, cooperative agreements, or other transactions with any agency or instrumentality of the United States, the several States, or the District of Columbia or with any person, firm, association, or corporation as may be deemed necessary or appropriate for the conduct of special events, festivals, concerts, or other art and cultural programs at the Pennsylvania Avenue National Historic Site or may establish a non-profit foundation to solicit funds for such activities.

(e) Notwithstanding any other provision of law, the responsibility for ensuring that development or redevelopment in the Pennsylvania Avenue area is carried out in accordance with the Pennsylvania Avenue Development Corporation Plan—1974, as amended, is transferred to the National Capital Planning Commission or its successor commencing April 1, 1996.

(f) SAVINGS PROVISIONS.—

(1) REGULATIONS.—Any regulations prescribed by the Corporation in connection with the Pennsylvania Avenue Development Corporation Act of 1972 (40 U.S.C. 871-885) and the Federal Triangle Development Act (40 U.S.C. 1101-1109) shall continue in effect until suspended by regulations prescribed by the Administrator of the General Services Administration.

(2) EXISTING RIGHTS, DUTIES, AND OBLIGATIONS NOT AFFECTED.—Subsection (a) shall not be construed as affecting the validity of any right, duty, or obligation of the United States or any other person arising under or pursuant to any contract, loan, or other instrument or agreement which was in effect on the day before the date of the transfers under subsection (a).

(3) CONTINUATION OF SUITS.—No action or other proceeding commenced by or against the Corporation in connection with administration of the Pennsylvania Avenue Development Corporation Act of 1972 (40 U.S.C. 871-885) and the Federal Triangle Development Act (40 U.S.C. 1101-1109) shall abate by reason of enactment and implementation of this Act, except that the General Services Administration shall be substituted for the Corporation as a party to any such action or proceeding.

(g) Section 3(b) of the Pennsylvania Avenue Development Corporation Act of 1972 (40 U.S.C. 872(b)) is amended as follows:

“(b) The Corporation shall be dissolved on or before April 1, 1996. Upon dissolution, assets, obligations, indebtedness, and all unobligated and unexpended balances of the Corporation shall be transferred in accordance with the Department of the Interior and Related Agencies Appropriations Act, 1996.”.

SEC. 314. No part of any appropriation contained in this Act shall be obligated or expended to implement regulations or requirements that regulate the use of, or actions occurring on, non-federal lands as a result of the draft or final environmental impact statements or records of decision for the Interior Columbia Basin Ecosystem Management Project. Columbia Basin Ecosystem Management Project records of decision will not provide the legal authority for any new formal rulemaking by any federal regulatory agency on the use of private property.

SEC. 315. RECREATIONAL FEE DEMONSTRATION PROGRAM.—(a) The Secretary of the Interior (acting through the Bureau of Land Management, the National Park Service and the United States Fish and Wildlife Service) and the Secretary of Agriculture (acting through the Forest Service) shall each implement a fee program to demonstrate the feasibility of user-generated cost recovery for the operation and maintenance of recreation areas or sites and habitat enhancement projects on Federal lands.

(b) In carrying out the pilot program established pursuant to this section, the appropriate Secretary shall select from areas under the jurisdiction of each of the four agencies referred to in subsection (a) no fewer than 10, but as many as 50, areas, sites or projects for fee demonstration. For each such demonstration, the Secretary, notwithstanding any other provision of law—

(1) shall charge and collect fees for admission to the area or for the use of outdoor recreation sites, facilities, visitor centers, equipment, and services by individuals and groups, or any combination thereof;

(2) shall establish fees under this section based upon a variety of cost recovery and fair market valuation methods to provide a broad basis for feasibility testing;

(3) may contract, including provisions for reasonable commissions, with any public or private entity to provide visitor services, including reservations and information, and may accept services of volunteers to collect fees charged pursuant to paragraph (1);

(4) may encourage private investment and partnerships to enhance the delivery of quality customer services and resource enhancement, and provide appropriate recognition to such partners or investors; and

(5) may assess a fine of not more than \$100 for any violation of the authority to collect fees for admission to the area or for the use of outdoor recreation sites, facilities, visitor centers, equipment, and services.

(c)(1) Amounts collected at each fee demonstration area, site or project shall be distributed as follows:

(A) Of the amount in excess of 104% of the amount collected in fiscal year 1995, and thereafter annually adjusted upward by 4%, eighty percent to a special account in the Treasury for use without further appropriation, by the agency which administers the site, to remain available for expenditures in accordance with paragraph (2)(A).

(B) Of the amount in excess of 104% of the amount collected in fiscal year 1995, and thereafter annually adjusted upward by 4%, twenty percent to a special account in the Treasury for use without further appropriation, by the agency which administers the site, to remain available for expenditure in accordance with paragraph (2)(B).

(C) For agencies other than the Fish and Wildlife Service, up to 15% of current year collections of each agency, but not greater than fee collection costs for that fiscal year, to remain available for expenditure without further appropriation in accordance with paragraph (2)(C).

(D) For agencies other than the Fish and Wildlife Service, the balance to the special account established pursuant to subparagraph (A) of section 4(i)(1) of the Land and Water Conservation Fund Act, as amended.



(E) For the Fish and Wildlife Service, the balance shall be distributed in accordance with section 201(c) of the Emergency Wetlands Resources Act.

(2)(A) Expenditures from site specific special funds shall be for further activities of the area, site or project from which funds are collected, and shall be accounted for separately.

(B) Expenditures from agency specific special funds shall be for use on an agency-wide basis and shall be accounted for separately.

(C) Expenditures from the fee collection support fund shall be used to cover fee collection costs in accordance with section 4(i)(1)(B) of the Land and Water Conservation Fund Act, as amended: Provided, That funds unexpended and unobligated at the end of the fiscal year shall not be deposited into the special account established pursuant to section 4(i)(1)(A) of said Act and shall remain available for expenditure without further appropriation.

(3) In order to increase the quality of the visitor experience at public recreational areas and enhance the protection of resources, amounts available for expenditure under this section may only be used for the area, site or project concerned, for backlogged repair and maintenance projects (including projects relating to health and safety) and for interpretation, signage, habitat or facility enhancement, resource preservation, annual operation (including fee collection), maintenance, and law enforcement relating to public use. The agencywide accounts may be used for the same purposes set forth in the preceding sentence, but for areas, sites or projects selected at the discretion of the respective agency head.

(d)(1) Amounts collected under this section shall not be taken into account for the purposes of the Act of May 23, 1908 and the Act of March 1, 1911 (16 U.S.C. 500), the Act of March 4, 1913 (16 U.S.C. 501), the Act of July 22, 1937 (7 U.S.C. 1012), the Act of August 8, 1937 and the Act of May 24, 1939 (43 U.S.C. 1181f et seq.), the Act of June 14, 1926 (43 U.S.C. 869-4), chapter 69 of title 31, United States Code, section 401 of the Act of June 15, 1935 (16 U.S.C. 715s), the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l), and any other provision of law relating to revenue allocation.

(2) Fees charged pursuant to this section shall be in lieu of fees charged under any other provision of law.

(e) The Secretary of the Interior and the Secretary of Agriculture shall carry out this section without promulgating regulations.

(f) The authority to collect fees under this section shall commence on October 1, 1995, and end on September 30, 1998. Funds in accounts established shall remain available through September 30, 2001.

SEC. 316. Section 2001(a)(2) of Public Law 104-19 is amended as follows: Strike "September 30, 1997" and insert in lieu thereof "December 31, 1996".

SEC. 317. None of the funds made available in this Act may be used for any program, project, or activity when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any applicable Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 318. None of the funds provided in this Act may be made available for the Mississippi River Corridor Heritage Commission.

SEC. 319. GREAT BASIN NATIONAL PARK.—Section 3 of the Great Basin National Park Act of 1986 (16 U.S.C. 410mm-1) is amended—

(1) in the first sentence of subsection (e) by striking "shall" and inserting "may"; and

(2) in subsection (f)—

(A) by striking "At the request" and inserting the following:

"(1) EXCHANGES.—At the request";

(B) by striking "grazing permits" and inserting "grazing permits and grazing leases"; and

(C) by adding after "Federal lands." the following:

"(2) ACQUISITION BY DONATION.—

(A) IN GENERAL.—The Secretary may acquire by donation valid existing permits and grazing leases authorizing grazing on land in the park.

(B) TERMINATION.—The Secretary shall terminate a grazing permit or grazing lease acquired under subparagraph (A) so as to end grazing previously authorized by the permit or lease."

SEC. 320. None of the funds made available in this Act shall be used by the Department of Energy in implementing the Codes and Standards Program to propose, issue, or prescribe any new or amended standard: Provided, That this section shall expire on September 30, 1996: Provided further, That nothing in this section shall preclude the Federal Government from promulgating rules concerning energy efficiency standards for the construction of new federally-owned commercial and residential buildings.

SEC. 321. None of the funds made available in this Act may be used (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when it is made known to the Federal official having authority to obligate or expend such funds that such pedestrian use is consistent with generally accepted safety standards.

SEC. 322. (a) None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994, and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) PROCESSING SCHEDULE.—For those applications for patents pursuant to subsection (b) which were filed with the Secretary of the Interior, prior to September 30, 1994, the Secretary of the Interior shall—

(1) Within three months of the enactment of this Act, file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a plan which details how the Department of the Interior will make a final determination as to whether or not an applicant is entitled to a patent under the general mining laws on at least 90 percent of such applications within five years of the enactment of this Act and file reports annually thereafter with the same committees detailing actions taken by the Department of the Interior to carry out such plan; and

(2) Take such actions as may be necessary to carry out such plan.

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 323. None of the funds appropriated or otherwise made available by this Act may be used for the purposes of acquiring lands in the

counties of Lawrence, Monroe, or Washington, Ohio, for the Wayne National Forest.

SEC. 324. No part of any appropriation contained in this Act or any other Act shall be expended or obligated to fund the activities of the Office of Forestry and Economic Development after December 31, 1995.

SEC. 325. (a) For one year after enactment of this Act, the Secretary shall continue the current Tongass Land Management Plan (TLMP) and may accommodate commercial tourism (if an agreement is signed between the Forest Service and the Alaska Visitors' Association) except that during this period, the Secretary shall maintain at least the number of acres of suitable available and suitable scheduled timber lands, and Allowable Sale Quantity as identified in the Preferred Alternative (Alternative P) in the Tongass Land and Resources Management Plan and Final Environmental Impact Statement (dated October 1992) as selected in the Record of Decision Review Draft #3-2/93. Nothing in this paragraph shall be interpreted to mandate clear-cutting or require the sale of timber and nothing in this paragraph, including the ASQ identified in Alternative P, shall be construed to limit the Secretary's consideration of new information or to prejudice future revision, amendment or modification of TLMP based upon sound, verifiable scientific data.

(b) If the Forest Service determines in a Supplemental Evaluation to an Environmental Impact Statement that no additional analysis under the National Environmental Policy Act or section 810 of the Alaska National Interest Lands Conservation Act is necessary for any timber sale or offering which has been prepared for acceptance by, or award to, a purchaser after December 31, 1988, that has been subsequently determined by the Forest Service to be available for sale or offering to one or more other purchaser, the change of purchasers for whatever reason shall not be considered a significant new circumstance, and the Forest Service may offer or award such timber sale or offering to a different purchaser or offeree, notwithstanding any other provision of law. A determination by the Forest Service pursuant to this paragraph shall not be subject to judicial review.

(c) The President is authorized to suspend the provisions of subsections (a) or (b), or both, if he determines that such suspension is appropriate based upon the public interest in sound environmental management, or protection of any cultural, biological, or historic resources. Any suspension by the President shall take effect on the date of execution, and continue in effect for such period, not to extend beyond the period in which this section would otherwise be in effect, as the President may determine, and shall be reported to the Congress prior to public release by the President. If the President suspends the provisions of subsections (a) or (b) or both, then such provisions shall have no legal force or effect during such suspension.

SEC. 326. (a) LAND EXCHANGE.—The Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to convey to the Boise Cascade Corporation (hereinafter referred to as the "Corporation"), a corporation formed under the statutes of the State of Delaware, with its principal place of business at Boise, Idaho, title to approximately seven acres of land, more or less, located in sections 14 and 23, township 36 north, range 37 east, Willamette Meridian, Stevens County, Washington, further identified in the records of the Bureau of Reclamation, Department of the Interior, as Tract No. GC-19860, and to accept from the Corporation in exchange therefor, title to approximately one hundred and thirty-six acres of land located in section 19, township 37 north, range 38 east and section 33, township 38 north, range 37 east, Willamette Meridian, Stevens County, Washington, and further identified in the records of the

Bureau of Reclamation, Department of the Interior, as Tract No. GC-19858 and Tract No. GC-19859, respectively.

(b) APPRAISAL.—The properties so exchanged either shall be approximately equal in fair market value or if they are not approximately equal, shall be equalized by the payment of cash to the Corporation or to the Secretary as required or in the event the value of the Corporation's lands is greater, the acreage may be reduced so that the fair market value is approximately equal: Provided, That the Secretary shall order appraisals made of the fair market value of each tract of land included in the exchange without consideration for improvements thereon: Provided further, That any cash payment received by the Secretary shall be covered in the Reclamation Fund and credited to the Columbia Basin project.

(c) ADMINISTRATIVE COSTS.—Costs of conducting the necessary land surveys, preparing the legal descriptions of the lands to be conveyed, performing the appraisals, and administrative costs incurred in completing the exchange shall be borne by the Corporation.

(d) LIABILITY FOR HAZARDOUS SUBSTANCES.—(1) The Secretary shall not acquire any lands under this Act if the Secretary determines that such lands, or any portion thereof, have become contaminated with hazardous substances (as defined in the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601)).

(2) Notwithstanding any other provision of law, the United States shall have no responsibility or liability with respect to any hazardous wastes or other substances placed on any of the lands covered by this Act after their transfer to the ownership of any party, but nothing in this Act shall be construed as either diminishing or increasing any responsibility or liability of the United States based on the condition of such lands on the date of their transfer to the ownership of another party. The Corporation shall indemnify the United States for liabilities arising under the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601), and the Resource Conservation Recovery Act (42 U.S.C. 6901 et seq.).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

SEC. 327. TIMBER SALES PIPELINE RESTORATION FUNDS.—(a) The Secretary of Agriculture and the Secretary of the Interior shall each establish a Timber Sales Pipeline Restoration Fund (hereinafter "Agriculture Fund" and "Interior Fund" or "Funds"). Any revenues received from sales released under section 2001(k) of the fiscal year 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act, minus the funds necessary to make payments to States or local governments under other law concerning the distribution of revenues derived from the affected lands, which are in excess of \$37,500,000 (hereinafter "excess revenues") shall be deposited into the Funds. The distribution of excess revenues between the Agriculture Fund and Interior Fund shall be calculated by multiplying the total of excess revenues times a fraction with a denominator of the total revenues received from all sales released under such section 2001(k) and numerators of the total revenues received from such sales on lands within the National Forest System and the total revenues received from such sales on lands administered by the Bureau of Land Management, respectively: Provided, That revenues or portions thereof from sales released under such section 2001(k), minus the amounts necessary for State and local government payments and other necessary deposits, may be deposited into the Funds immediately upon receipt thereof and subsequently redistributed between the Funds or paid into the United States Treasury as miscellaneous receipts as may be required when the calculation of excess revenues is made.

(b)(1) From the funds deposited into the Agriculture Fund and into the Interior Fund pursuant to subsection (a)—

(A) seventy-five percent shall be available, without fiscal year limitation or further appropriation, for preparation of timber sales, other than salvage sales as defined in section 2001(a)(3) of the fiscal year 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act, which—

(i) are situated on lands within the National Forest System and lands administered by the Bureau of Land Management, respectively; and

(ii) are in addition to timber sales for which funds are otherwise available in this Act or other appropriations Acts; and

(B) twenty-five percent shall be available, without fiscal year limitation or further appropriation, to expend on the backlog of recreation projects on lands within the National Forest System and lands administered by the Bureau of Land Management, respectively.

(2) Expenditures under this subsection for preparation of timber sales may include expenditures for Forest Service activities within the forest land management budget line item and associated timber roads, and Bureau of Land Management activities within the Oregon and California grant lands account and the forestry management area account, as determined by the Secretary concerned.

(c) Revenues received from any timber sale prepared under subsection (b) or under this subsection, minus the amounts necessary for State and local government payments and other necessary deposits, shall be deposited into the Fund from which funds were expended on such sale. Such deposited revenues shall be available for preparation of additional timber sales and completion of additional recreation projects in accordance with the requirements set forth in subsection (b).

(d) The Secretary concerned shall terminate all payments into the Agriculture Fund or the Interior Fund, and pay any unobligated funds in the affected Fund into the United States Treasury as miscellaneous receipts, whenever the Secretary concerned makes a finding, published in the Federal Register, that sales sufficient to achieve the total allowable sales quantity of the National Forest System for the Forest Service or the allowable sales level for the Oregon and California grant lands for the Bureau of Land Management, respectively, have been prepared.

(e) Any timber sales prepared and recreation projects completed under this section shall comply with all applicable environmental and natural resource laws and regulations.

(f) The Secretary concerned shall report annually to the Committees on Appropriations of the United States Senate and the House of Representatives on expenditures made from the Fund for timber sales and recreation projects, revenues received into the Fund from timber sales, and timber sale preparation and recreation project work undertaken during the previous year and projected for the next year under the Fund. Such information shall be provided for each Forest Service region and Bureau of Land Management State office.

(g) The authority of this section shall terminate upon the termination of both Funds in accordance with the provisions of subsection (d).

SEC. 328. Of the funds provided to the National Endowment for the Arts:

(a) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(b) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit

payments made in exchange for goods and services.

(c) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs and/or projects.

SEC. 329. DELAY IN IMPLEMENTATION OF THE ADMINISTRATION'S RANGELAND REFORM PROGRAM.—None of the funds made available under this or any other Act may be used to implement or enforce the final rule published by the Secretary of the Interior on February 22, 1995 (60 Fed. Reg. 9894), making amendments to parts 4, 1780, and 4100 of title 43, Code of Federal Regulations, to take effect August 21, 1995, until November 21, 1995. None of the funds made available under this or any other Act may be used to publish proposed or enforce final regulations governing the management of livestock grazing on lands administered by the Forest Service until November 21, 1995.

SEC. 330. Section 1864 of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking "twenty" and inserting "40";

(B) in paragraph (3), by striking "ten" and inserting "20";

(C) in paragraph (4), by striking "if damage exceeding \$10,000 to the property of any individual results," and inserting "if damage to the property of any individual results or if avoidance costs have been incurred exceeding \$10,000, in the aggregate,"; and

(D) in paragraph (4), by striking "ten" and inserting "20";

(2) in subsection (c) by striking "ten" and inserting "20";

(3) in subsection (d), by—

(A) striking "and" at the end of paragraph (2);

(B) striking the period at the end of paragraph (3) and inserting "; and"; and

(C) adding at the end the following:

"(4) the term 'avoidance costs' means costs incurred by any individual for the purpose of—

"(A) detecting a hazardous or injurious device; or

"(B) preventing death, serious bodily injury, bodily injury, or property damage likely to result from the use of a hazardous or injurious device in violation of subsection (a)."; and

(4) by adding at the end thereof the following:

"(e) Any person injured as the result of a violation of subsection (a) may commence a civil action on his own behalf against any person who is alleged to be in violation of subsection (a). The district courts shall have jurisdiction, without regard to the amount in controversy or the citizenship of the parties, in such civil actions. The court may award, in addition to monetary damages for any injury resulting from an alleged violation of subsection (a), costs of litigation, including reasonable attorney and expert witness fees, to any prevailing or substantially prevailing party, whenever the court determines such award is appropriate."

SEC. 331. (a) PURPOSES OF NATIONAL ENDOWMENT FOR THE ARTS.—Section 2 of the National Foundation on the Arts and the Humanities Act of 1965, as amended (20 U.S.C. 951), sets out findings and purposes for which the National Endowment for the Arts was established, among which are—

(1) "The arts and humanities belong to all the people of the United States";

(2) "The arts and humanities reflect the high place accorded by the American people . . . to the fostering of mutual respect for the diverse beliefs and values of all persons and groups";

(3) "Public funding of the arts and humanities is subject to the conditions that traditionally govern the use of public money [and] such funding should contribute to public support and confidence in the use of taxpayer funds"; and

(4) "Public funds provided by the Federal Government must ultimately serve public purposes the Congress defines".

(b) **ADDITIONAL CONGRESSIONAL FINDINGS.**—Congress further finds and declares that the use of scarce funds, which have been taken from all taxpayers of the United States, to promote, disseminate, sponsor, or produce any material or performance that—

(1) denigrates the religious objects or religious beliefs of the adherents of a particular religion, or

(2) depicts or describes, in a patently offensive way, sexual or excretory activities or organs, is contrary to the express purposes of the National Foundation on the Arts and the Humanities Act of 1965, as amended.

(c) **PROHIBITION ON FUNDING THAT IS NOT CONSISTENT WITH THE PURPOSES OF THE ACT.**—Notwithstanding any other provision of law, none of the scarce funds which have been taken from all taxpayers of the United States and made available under this Act to the National Endowment for the Arts may be used to promote, disseminate, sponsor, or produce any material or performance that—

(1) denigrates the religious objects or religious beliefs of the adherents of a particular religion, or

(2) depicts or describes, in a patently offensive way, sexual or excretory activities or organs, and this prohibition shall be strictly applied without regard to the content or viewpoint of the material or performance.

(d) **SECTION NOT TO AFFECT OTHER WORKS.**—Nothing in this section shall be construed to affect in any way the freedom of any artist or performer to create any material or performance using funds which have not been made available under this Act to the National Endowment for the Arts.

**SEC. 332.** For purposes related to the closure of the Bureau of Mines, funds made available to the United States Geological Survey, the United States Bureau of Mines, and the Bureau of Land Management shall be available for transfer, with the approval of the Secretary of the Interior, among the following accounts: United States Geological Survey, Surveys, investigations, and research; Bureau of Mines, Mines and minerals; and Bureau of Land Management, Management of lands and resources. The Secretary of Energy shall reimburse the Secretary of the Interior, in an amount to be determined by the Director of the Office of Management and Budget, for the expenses of the transferred functions between October 1, 1995 and the effective date of the transfers of function. Such transfers shall be subject to the reprogramming guidelines of the House and Senate Committees on Appropriations.

**SEC. 333.** No funds appropriated under this or any other Act shall be used to review or modify sourcing areas previously approved under section 490(c)(3) of the Forest Resources Conservation and Shortage Relief Act of 1990 (Public Law 101-382) or to enforce or implement Federal regulations 36 CFR part 223 promulgated on September 8, 1995. The regulations and interim rules in effect prior to September 8, 1995 (36 CFR 223.48, 36 CFR 223.87, 36 CFR 223 Subpart D, 36 CFR 223 Subpart F, and 36 CFR 261.6) shall remain in effect. The Secretary of Agriculture or the Secretary of the Interior shall not adopt any policies concerning Public Law 101-382 or existing regulations that would restrain domestic transportation or processing of timber from private lands or impose additional accountability requirements on any timber. The Secretary of Commerce shall extend until September 30, 1996, the order issued under section 491(b)(2)(A) of Public Law 101-382 and shall issue an order under section 491(b)(2)(B) of such law that will be effective October 1, 1996.

**SEC. 334.** The National Park Service, in accordance with the Memorandum of Agreement between the United States National Park Service and the City of Vancouver dated November 4, 1994, shall permit general aviation on its portion of Pearson Field in Vancouver, Washington until the year 2022, during which time a plan

and method for transitioning from general aviation aircraft to historic aircraft shall be completed; such transition to be accomplished by that date. This action shall not be construed to limit the authority of the Federal Aviation Administration over air traffic control or aviation activities at Pearson Field or limit operations and airspace of Portland International Airport.

**SEC. 335.** The United States Forest Service approval of Alternative site 2 (ALT 2), issued on December 6, 1993, is hereby authorized and approved and shall be deemed to be consistent with, and permissible under, the terms of Public Law 100-696 (the Arizona-Idaho Conservation Act of 1988).

**SEC. 336.** None of the funds made available to the Department of the Interior or the Department of Agriculture by this or any other Act may be used to issue or implement final regulations, rules, or policies pursuant to Title VIII of the Alaska National Interest Lands Conservation Act to assert jurisdiction, management, or control over navigable waters transferred to the State of Alaska pursuant to the Submerged Lands Act of 1953 or the Alaska Statehood Act of 1959.

**Section 337.** Directs the Department of the Interior to transfer to the Daughters of the American Colonists a plaque in the possession of the National Park Service. The Park Service currently has this plaque in storage and this provision provides for its return to the organization that originally placed the plaque on the Great Southern Hotel in Saint Louis, Missouri in 1933 to mark the site of Fort San Carlos.

**SEC. 338.** Upon enactment of this Act, all funds obligated in fiscal year 1996 under "Salaries and expenses", Pennsylvania Avenue Development Corporation are to be offset by unobligated balances made available under this Act under the account "Public development", Pennsylvania Avenue Development Corporation and all funds obligated in fiscal year 1996 under "International forestry", Forest Service are to be offset, as appropriate by funds made available under this Act under the accounts "Forest research", "State and private forestry", "National forest system", and "Construction" in the Forest Service.

**SEC. 339.** (a) Notwithstanding any other provision of law, in order to avoid or minimize the need for involuntary separations due to a reduction in force, reorganizations, transfer of function, or other similar action, the Secretary of the Smithsonian Institution may pay, or authorize the payment of, voluntary separation incentive payments to Smithsonian Institution employees who separate from Federal service voluntarily through October 1, 1996 (whether by retirement or resignation).

(b) A voluntary separation incentive payment—

(1) shall be paid in a lump sum after the employee's separation in an amount to be determined by the Secretary, but shall not exceed \$25,000; and

(2) shall not be a basis for payment, and shall not be included in the computation, of any other type of benefit.

(c)(1) An employee who has received a voluntary separation incentive payment under this section and accepts employment with any agency or instrumentality of the United States within 5 years after the date of the separation on which the payment is based shall be required to repay the entire amount of the incentive payment to the Smithsonian Institution.

(2) The repayment required by paragraph (1) may be waived only by the Secretary.

(d) In addition to any other payments which it is required to make under subchapter III of chapter 83 of title 5, United States Code, the Smithsonian shall remit to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Civil Service Retirement and Disability Fund an amount equal to 15 percent of the final basic pay of each employee of the Smithsonian to whom a vol-

untary separation incentive payment has been paid.

This Act may be cited as the "Department of the Interior and Related Agencies Appropriations Act, 1996".

(d) For programs, projects or activities in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996, provided as follows, to be effective as if it had been enacted into law as the regular appropriations Act:

**AN ACT** Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996 and for other purposes

## TITLE I—DEPARTMENT OF LABOR

### EMPLOYMENT AND TRAINING ADMINISTRATION TRAINING AND EMPLOYMENT SERVICES

For expenses necessary to carry into effect the Job Training Partnership Act, as amended, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Job Training Partnership Act; title II of the Civil Rights Act of 1991; the Women in Apprenticeship and Nontraditional Occupations Act; National Skill Standards Act of 1994; and the School-to-Work Opportunities Act; \$4,146,278,000 plus reimbursements, of which \$3,226,559,000 is available for obligation for the period July 1, 1996 through June 30, 1997; of which \$121,467,000 is available for the period July 1, 1996 through June 30, 1999 for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers; and of which \$170,000,000 shall be available from July 1, 1996 through September 30, 1997, for carrying out activities of the School-to-Work Opportunities Act: Provided, That \$52,502,000 shall be for carrying out section 401 of the Job Training Partnership Act, \$69,285,000 shall be for carrying out section 402 of such Act, \$7,300,000 shall be for carrying out section 441 of such Act, \$8,000,000 shall be for all activities conducted by and through the National Occupational Information Coordinating Committee under such Act, \$850,000,000 shall be for carrying out title II, part A of such Act, \$126,672,000 shall be for carrying out title II, part C of such Act and \$2,500,000 shall be available for obligation from October 1, 1995 through September 30, 1996 to support short-term training and employment-related activities incurred by the organizer of the 1996 Paralympic Games: Provided further, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers: Provided further, That notwithstanding any other provision of law, the Secretary of Labor may waive any of the requirements contained in sections 4, 104, 105, 107, 108, 121, 164, 204, 253, 254, 264, 301, 311, 313, 314, and 315 of the Job Training Partnership Act in order to assist States in improving State workforce development systems, pursuant to a request submitted by a State that has prior to the date of enactment of this Act executed a Memorandum of Understanding with the United States requiring such State to meet agreed upon outcomes: Provided further, That funds used from this Act to carry out title III of the Job Training Partnership Act shall not be subject to the limitation contained in subsection (b) of section 315 of such Act; that the waiver allowing a reduction in the cost limitation relating to retraining services described in subsection (a)(2) of such section 315 may be granted with respect to funds from this Act if a substate grantee demonstrates to the Governor that such waiver is appropriate due to the availability of low-cost retraining services, is necessary to facilitate the provision of needs-related payments to accompany long-term training, or is necessary to facilitate the provision of appropriate basic readjustment services and that funds used from this Act to carry out the Secretary's discretionary grants under part B of such title III

may be used to provide needs-related payments to participants who, in lieu of meeting the requirements relating to enrollment in training under section 314(e) of such Act, are enrolled in training by the end of the sixth week after funds have been awarded: Provided further, That service delivery areas may transfer funding provided herein under authority of titles II-B and II-C of the Job Training Partnership Act between the programs authorized by those titles of that Act, if such transfer is approved by the Governor: Provided further, That service delivery areas and substate areas may transfer funding provided herein under authority of title II-A and title III of the Job Training Partnership Act between the programs authorized by those titles of the Act, if such transfer is approved by the Governor: Provided further, That, notwithstanding any other provision of law, any proceeds from the sale of Job Corps Center facilities shall be retained by the Secretary of Labor to carry out the Job Corps program.

#### COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out the activities for national grants or contracts with public agencies and public or private nonprofit organizations under paragraph (1)(A) of section 506(a) of title V of the Older Americans Act of 1965, as amended, or to carry out older worker activities as subsequently authorized, \$290,940,000.

To carry out the activities for grants to States under paragraph (3) of section 506(a) of title V of the Older Americans Act of 1965, as amended, or to carry out older worker activities as subsequently authorized, \$82,060,000.

#### FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of trade adjustment benefit payments and allowances under part I, and for training, for allowances for job search and relocation, and for related State administrative expenses under part II, subchapters B and D, chapter 2, title II of the Trade Act of 1974, as amended, \$346,100,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current year.

#### STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For activities authorized by the Act of June 6, 1933, as amended (29 U.S.C. 49-49I-1; 39 U.S.C. 3202(a)(1)(E)); title III of the Social Security Act, as amended (42 U.S.C. 502-504); necessary administrative expenses for carrying out 5 U.S.C. 8501-8523, and sections 225, 231-235, 243-244, and 250(d)(1), 250(d)(3), title II of the Trade Act of 1974, as amended; as authorized by section 7c of the Act of June 6, 1933, as amended, necessary administrative expenses under sections 101(a)(15)(H), 212(a)(5)(A), (m) (2) and (3), (n)(1), and 218(g) (1), (2), and (3), and 258(c) of the Immigration and Nationality Act, as amended (8 U.S.C. 1101 et seq.); necessary administrative expenses to carry out section 221(a) of the Immigration Act of 1990, \$135,328,000, together with not to exceed \$3,102,194,000 (including not to exceed \$1,653,000 which may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980, and including not to exceed \$2,000,000 which may be obligated in contracts with non-State entities for activities such as occupational and test research activities which benefit the Federal-State Employment Service System), which may be expended from the Employment Security Administration account in the Unemployment Trust Fund, and of which the sums available in the allocation for activities authorized by title III of the Social Security Act, as amended (42 U.S.C. 502-504), and the sums available in the allocation for necessary administrative expenses for carrying out 5 U.S.C. 8501-8523, shall be available for obligation by the States through December

31, 1996, except that funds used for automation acquisitions shall be available for obligation by States through September 30, 1998; and of which \$133,452,000, together with not to exceed \$738,283,000 of the amount which may be expended from said trust fund shall be available for obligation for the period July 1, 1996, through June 30, 1997, to fund activities under the Act of June 6, 1933, as amended, including the cost of penalty mail made available to States in lieu of allotments for such purpose, and of which \$216,333,000 shall be available only to the extent necessary for additional State allocations to administer unemployment compensation laws to finance increases in the number of unemployment insurance claims filed and claims paid or changes in a State law: Provided, That to the extent that the Average Weekly Insured Unemployment (AWIU) for fiscal year 1996 is projected by the Department of Labor to exceed 2.785 million, an additional \$28,600,000 shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) from the Employment Security Administration Account of the Unemployment Trust Fund: Provided further, That funds appropriated in this Act which are used to establish a national one-stop career center network may be obligated in contracts, grants or agreements with non-State entities: Provided further, That funds appropriated under this Act for activities authorized under the Wagner-Peyser Act, as amended, and title III of the Social Security Act, may be used by the States to fund integrated Employment Service and Unemployment Insurance automation efforts, notwithstanding cost allocation principles prescribed under Office of Management and Budget Circular A-87.

#### ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1954, as amended; and for non-repayable advances to the Unemployment Trust Fund as authorized by section 8509 of title 5, United States Code, and section 104(d) of Public Law 102-164, and section 5 of Public Law 103-6, and to the "Federal unemployment benefits and allowances" account, to remain available until September 30, 1997, \$369,000,000.

In addition, for making repayable advances to the Black Lung Disability Trust Fund in the current fiscal year after September 15, 1996, for costs incurred by the Black Lung Disability Trust Fund in the current fiscal year, such sums as may be necessary.

#### ADVANCES TO THE EMPLOYMENT SECURITY ADMINISTRATION ACCOUNT OF THE UNEMPLOYMENT TRUST FUND

##### (RESCISSION)

Amounts remaining unobligated under this heading as of September 30, 1995, are hereby rescinded.

#### PAYMENTS TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

##### (RESCISSION)

Of the amounts remaining unobligated under this heading as of September 30, 1995, \$266,000,000 are hereby rescinded.

#### PROGRAM ADMINISTRATION

For expenses of administering employment and training programs and for carrying out section 908 of the Social Security Act, \$83,054,000, together with not to exceed \$40,793,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

#### PENSION AND WELFARE BENEFITS ADMINISTRATION

##### SALARIES AND EXPENSES

For necessary expenses for Pension and Welfare Benefits Administration, \$67,497,000.

#### PENSION BENEFIT GUARANTY CORPORATION

##### PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by section 104 of Public Law 96-364, within limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program through September 30, 1996, for such Corporation: Provided, That not to exceed \$10,603,000 shall be available for administrative expenses of the Corporation: Provided further, That expenses of such Corporation in connection with the collection of premiums, the termination of pension plans, for the acquisition, protection or management, and investment of trust assets, and for benefits administration services shall be considered as non-administrative expenses for the purposes hereof, and excluded from the above limitation.

#### EMPLOYMENT STANDARDS ADMINISTRATION

##### SALARIES AND EXPENSES

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, \$265,637,000, together with \$1,007,000 which may be expended from the Special Fund in accordance with sections 39(c) and 44(j) of the Longshore and Harbor Workers' Compensation Act: Provided, That the Secretary of Labor is authorized to accept, retain, and spend, until expended, in the name of the Department of Labor, all sums of money ordered to be paid to the Secretary of Labor, in accordance with the terms of the Consent Judgment in Civil Action No. 91-0027 of the United States District Court for the District of the Northern Mariana Islands (May 21, 1992): Provided further, That the Secretary of Labor is authorized to establish and, in accordance with 31 U.S.C. 3302, collect and deposit in the Treasury fees for processing applications and issuing certificates under sections 11(d) and 14 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 211(d) and 214) and for processing applications and issuing registrations under Title I of the Migrant and Seasonal Agricultural Worker Protection Act, 29 U.S.C. 1801 et seq.

##### SPECIAL BENEFITS

##### (INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by title 5, chapter 81 of the United States Code; continuation of benefits as provided for under the head "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; and sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and 50 per centum of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, as amended, \$218,000,000 together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: Provided, That such sums as are necessary may be used under section 8104 of title 5, United States Code, by the Secretary to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a reemployed, disabled beneficiary: Provided further, That balances of reimbursements unobligated on September 30, 1995, shall remain available until expended for the payment of compensation, benefits, and expenses: Provided further, That in addition there shall be transferred to this appropriation from the Postal Service and from any

other corporation or instrumentality required under section 8147(c) of title 5, United States Code, to pay an amount for its fair share of the cost of administration, such sums as the Secretary of Labor determines to be the cost of administration for employees of such fair share entities through September 30, 1996: Provided further, That of those funds transferred to this account from the fair share entities to pay the cost of administration, \$19,383,000 shall be made available to the Secretary of Labor for expenditures relating to capital improvements in support of Federal Employees' Compensation Act administration, and the balance of such funds shall be paid into the Treasury as miscellaneous receipts: Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under Subchapter 5, U.S.C., chapter 81, or under subchapter 33, U.S.C. 901, et seq. (the Longshore and Harbor Workers' Compensation Act, as amended), provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

#### BLACK LUNG DISABILITY TRUST FUND

##### (INCLUDING TRANSFER OF FUNDS)

For payments from the Black Lung Disability Trust Fund, \$996,763,000, of which \$949,494,000 shall be available until September 30, 1997, for payment of all benefits as authorized by section 9501(d) (1), (2), (4), and (7), of the Internal Revenue Code of 1954, as amended, and interest on advances as authorized by section 9501(c)(2) of that Act, and of which \$27,350,000 shall be available for transfer to Employment Standards Administration, Salaries and Expenses, and \$19,621,000 for transfer to Departmental Management, Salaries and Expenses, and \$298,000 for transfer to Departmental Management, Office of Inspector General, for expenses of operation and administration of the Black Lung Benefits program as authorized by section 9501(d)(5)(A) of that Act: Provided, That in addition, such amounts as may be necessary may be charged to the subsequent year appropriation for the payment of compensation, interest, or other benefits for any period subsequent to August 15 of the current year: Provided further, That in addition such amounts shall be paid from this fund into miscellaneous receipts as the Secretary of the Treasury determines to be the administrative expenses of the Department of the Treasury for administering the fund during the current fiscal year, as authorized by section 9501(d)(5)(B) of that Act.

#### OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

##### SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, \$304,984,000 including not to exceed \$68,295,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act, which grants shall be no less than fifty percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Occupational Safety and Health Act of 1970; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to \$750,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education grants: Provided, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs ten or fewer employees: Provided further, That no funds appropriated

under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 with respect to any employer of ten or fewer employees who is included within a category having an occupational injury lost workday case rate, at the most precise Standard Industrial Classification Code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of that Act (29 U.S.C. 673), except—

(1) to provide, as authorized by such Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by such Act with respect to imminent dangers;

(4) to take any action authorized by such Act with respect to health hazards;

(5) to take any action authorized by such Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by such Act; and

(6) to take any action authorized by such Act with respect to complaints of discrimination against employees for exercising rights under such Act:

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs ten or fewer employees.

#### MINE SAFETY AND HEALTH ADMINISTRATION

##### SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, \$196,673,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles; the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; and any funds available to the Department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster: Provided, That none of the funds appropriated under this paragraph shall be obligated or expended to carry out section 115 of the Federal Mine Safety and Health Act of 1977 or to carry out that portion of section 104(g)(1) of such Act relating to the enforcement of any training requirements, with respect to shell dredging, or with respect to any sand, gravel, surface stone, surface clay, colloidal phosphate, or surface limestone mine.

#### BUREAU OF LABOR STATISTICS

##### SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, \$293,181,000, of which \$11,549,000 shall be for expenses of revising the Consumer Price Index and shall remain available until September 30, 1997, together with not to exceed \$51,278,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

#### DEPARTMENTAL MANAGEMENT

##### SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of three sedans, and including up to \$4,358,000 for the President's Committee on Employment of People With Disabilities, \$141,047,000; together with not to exceed \$303,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund: Provided, That no funds made available by this Act may be used by the Solicitor of Labor to participate in a review in any United States court of appeals of any decision made by the Benefits Review Board under Section 21 of the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 921) where such participation is precluded by the decision of the United States Supreme Court in *Director, Office of Workers' Compensation Programs v. Newport News Shipbuilding*, 115 S. Ct. 1278, (1995): Provided further, That no funds made available by this Act may be used by the Secretary of Labor after September 12, 1996, to review a decision under the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 901 et seq.) that has been appealed and that has been pending before the Benefits Review Board for more than 12 months, except as otherwise specified herein: Provided further, That any such decision pending a review by the Benefits Review Board for more than one year shall, if not acted upon by the Board before September 12, 1996, be considered affirmed by the Benefits Review Board on that date, and shall be considered the final order of the Board for purposes of obtaining a review in the United States courts of appeals: Provided further, That beginning on September 13, 1996, the Benefits Review Board shall make a decision on an appeal of a decision under the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 901 et seq.) not later than 1 year after the date the appeal to the Benefits Review Board was filed; however, if the Benefits Review Board fails to make a decision within the 1-year period, the decision under review shall be considered the final order of the Board for purposes of obtaining a review in the United States courts of appeals: Provided further, That these provisions shall not be applicable to the review of any decision issued under the Black Lung Benefits Act (30 U.S.C. 901 et seq.).

Beginning on September 13, 1996, in any appeal to the Benefits Review Board that has been pending for one year, the petitioner may elect to maintain the proceeding before the Benefits Review Board for a period of 60 days. Such election shall be filed with the Board no later than 30 days prior to the end of the one-year period. If no decision is rendered during this 60-day period, the decision under review shall be considered affirmed by the Board on the last day of such period, and shall be considered the final order of the Board for purposes of obtaining a review in the United States courts of appeals.

##### WORKING CAPITAL FUND

The language under this heading in Public Law 85-67, as amended, is further amended by adding the following before the last period: "": Provided further, That within the Working Capital Fund, there is established an Investment in Reinvention Fund (IRF), which shall be available to invest in projects of the Department designed to produce measurable improvements in agency efficiency and significant taxpayer savings. Notwithstanding any other provision of law, the Secretary of Labor may retain up to \$3,900,000 of the unobligated balances in the Department's annual Salaries and Expenses accounts as of September 30, 1995, and transfer those amounts to the IRF to provide the initial capital for the IRF, to remain available until expended, to make loans to agencies of the Department for projects designed to enhance productivity and generate cost savings. Such loans shall be repaid to the IRF no later than September 30 of the fiscal year following the fiscal year

in which the project is completed. Such repayments shall be deposited in the IRF, to be available without further appropriation action."

ASSISTANT SECRETARY FOR VETERANS  
EMPLOYMENT AND TRAINING

Not to exceed \$170,390,000 may be derived from the Employment Security Administration account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 4100-4110A and 4321-4327, and Public Law 103-353, and which shall be available for obligation by the States through December 31, 1996.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$44,426,000, together with not to exceed \$3,615,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in this title for the Job Corps shall be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of \$125,000.

SEC. 102. None of the funds made available in this Act may be used by the Occupational Safety and Health Administration directly or through section 23(g) of the Occupational Safety and Health Act to promulgate or issue any proposed or final standard or guideline regarding ergonomic protection. Nothing in this section shall be construed to limit the Occupational Safety and Health Administration from conducting any peer reviewed risk assessment activity regarding ergonomics, including conducting peer reviews of the scientific basis for establishing any standard or guideline, direct or contracted research, or other activity necessary to fully establish the scientific basis for promulgating any standard or guideline on ergonomic protection.

(TRANSFER OF FUNDS)

SEC. 103. Not to exceed 1 percent of any appropriation made available for the current fiscal year for the Department of Labor in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfers: Provided, That the Appropriations Committees of both Houses of Congress are notified at least fifteen days in advance of any transfers.

SEC. 104. Funds shall be available for carrying out title IV-B of the Job Training Partnership Act, notwithstanding section 427(c) of that Act, if a Job Corps center fails to meet national performance standards established by the Secretary.

This title may be cited as the "Department of Labor Appropriations Act, 1996".

TITLE II—DEPARTMENT OF HEALTH AND  
HUMAN SERVICES

HEALTH RESOURCES AND SERVICES  
ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out titles II, III, VII, VIII, X, XVI, XIX, and XXVI of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V of the Social Security Act, the Health Care Quality Improvement Act of 1986, as amended, Public Law 101-527, and the Native Hawaiian Health Care Act of 1988, as amended, \$3,077,857,000, of which \$391,700,000 shall be for a part A of title XXVI of the Public Health Service Act and \$260,847,000 shall be for Part B of title XXVI of the Public Health Service Act, and of which \$411,000 shall remain available until expended for interest subsidies on loan guarantees made prior to fiscal year 1981 under part B of title VII of the Public Health Service Act: Provided, That the Division of Federal Occupational Health may utilize personal services contracting to employ professional

management/administrative, and occupational health professionals: Provided further, That of the funds made available under this heading, \$858,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center: Provided further, That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under the Act sufficient to recover the full costs of operating the National Practitioner Data Bank, and shall remain available until expended to carry out that Act: Provided further, That no more than \$5,000,000 is available for carrying out the provisions of Public Law 104-73: Provided further, That of the funds made available under this heading, \$193,349,000 shall be for the program under title X of the Public Health Service Act to provide for voluntary family planning projects: Provided further, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: Provided further, That notwithstanding any other provision of law, funds made available under this heading may be used to continue operating the Council on Graduate Medical Education established by section 301 of Public Law 102-408: Provided further, That the Secretary shall use amounts available for section 2603(b) of the Public Health Service Act as necessary to ensure that fiscal year 1996 grant awards made under section 2603(a) of such Act to eligible areas that received such grants in fiscal year 1995 are not less than 99 percent of the fiscal year 1995 level: Provided further, That funds made available under this heading for activities authorized by part A of title XXVI of the Public Health Service Act are available only for those metropolitan areas previously funded under Public Law 103-333 or with a cumulative total of more than 2,000 cases of AIDS, as reported to the Centers for Disease Control and Prevention as of March 31, 1995, and have a population of 500,000 or more: Provided further, That of the amounts provided for part B of title XXVI of the Public Health Service Act \$52,000,000 shall be used only for State AIDS Drug Assistance Programs authorized by section 2616 of the Health Service Act and shall be distributed to States as authorized by section 2618(b)(2) of such Act.

MEDICAL FACILITIES GUARANTEE AND LOAN FUND

FEDERAL INTEREST SUBSIDIES FOR MEDICAL  
FACILITIES

For carrying out subsections (d) and (e) of section 1602 of the Public Health Service Act, \$8,000,000, together with any amounts received by the Secretary in connection with loans and loan guarantees under title VI of the Public Health Service Act, to be available without fiscal year limitation for the payment of interest subsidies. During the fiscal year, no commitments for direct loans or loan guarantees shall be made.

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

For the cost of guaranteed loans, such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the Public Health Service Act, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the total loan principal any part of which is to be guaranteed at not to exceed \$210,000,000. In addition, for administrative expenses to carry out the guaranteed loan program, \$2,688,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST  
FUND

For payments from the Vaccine Injury Compensation Program Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: Provided, That for necessary administrative expenses, not to exceed \$3,000,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

VACCINE INJURY COMPENSATION

For payment of claims resolved by the United States Court of Federal Claims related to the administration of vaccines before October 1, 1988, \$110,000,000, to remain available until expended.

CENTERS FOR DISEASE CONTROL AND  
PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING  
(RESCISSION)

Of the amounts made available under this heading in Public Law 103-333, Public Law 103-112, and Public Law 102-394 for immunization activities, \$53,000,000 are hereby rescinded: Provided, That the Director may redirect the total amount made available under authority of Public Law 101-502, section 3, dated November 3, 1990, to activities the Director may so designate: Provided further, That the Congress is to be notified promptly of any such transfer.

SUBSTANCE ABUSE AND MENTAL HEALTH  
SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For carrying out titles V and XIX of the Public Health Service Act with respect to substance abuse and mental health services, the Protection and Advocacy for Mentally Ill Individuals Act of 1986, and section 301 of the Public Health Service Act with respect to program management, \$1,883,715,000.

RETIREMENT PAY AND MEDICAL BENEFITS FOR  
COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, and for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan and for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C. ch. 55), and for payments pursuant to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), such amounts as may be required during the current fiscal year.

AGENCY FOR HEALTH CARE POLICY AND  
RESEARCH

HEALTH CARE POLICY AND RESEARCH

For carrying out titles III and IX of the Public Health Service Act, and part A of title XI of the Social Security Act, \$65,186,000; in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data tapes shall be credited to this appropriation and shall remain available until expended: Provided, That the amount made available pursuant to section 926(b) of the Public Health Service Act shall not exceed \$60,124,000.

HEALTH CARE FINANCING ADMINISTRATION  
GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, \$55,094,355,000, to remain available until expended.

For making, after May 31, 1996, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 1996 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States under title XIX of the Social Security Act for the first quarter of fiscal year 1997, \$26,155,350,000, to remain available until expended.



Payment under title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

#### PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under sections 217(g) and 1844 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of Public Law 97-248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, \$63,313,000,000.

#### PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, and XIX of the Social Security Act, and title XIII of the Public Health Service Act, the Clinical Laboratory Improvement Amendments of 1988, and section 4005(e) of Public Law 100-203, not to exceed \$1,734,810,000, together with all funds collected in accordance with section 353 of the Public Health Service Act, the latter funds to remain available until expended, together with such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended, the \$1,734,810,000, to be transferred to this appropriation as authorized by section 201(g) of the Social Security Act, from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds: Provided, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the Public Health Service Act are to be credited to this appropriation.

#### HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN GUARANTEE FUND

For carrying out subsections (d) and (e) of section 1308 of the Public Health Service Act, any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, to be available without fiscal year limitation for the payment of outstanding obligations. During fiscal year 1996, no commitments for direct loans or loan guarantees shall be made.

#### ADMINISTRATION FOR CHILDREN AND FAMILIES

##### FAMILY SUPPORT PAYMENTS TO STATES

For making payments to States or other non-Federal entities, except as otherwise provided, under titles I, IV-A (other than section 402(g)(6)) and D, X, XI, XIV, and XVI of the Social Security Act, and the Act of July 5, 1960 (24 U.S.C. ch. 9), \$13,614,307,000, to remain available until expended.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV-A and D, X, XI, XIV, and XVI of the Social Security Act, for the last three months of the current year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or other non-Federal entities under titles I, IV-A (other than section 402(g)(6)) and D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9) for the first quarter of fiscal year 1997, \$4,800,000,000, to remain available until expended.

##### JOB OPPORTUNITIES AND BASIC SKILLS

For carrying out aid to families with dependent children work programs, as authorized by part F of title IV of the Social Security Act, \$1,000,000,000.

##### LOW INCOME HOME ENERGY ASSISTANCE

##### (INCLUDING RESCISSION)

Of the funds made available beginning on October 1, 1995 under this heading in Public Law 103-333, \$100,000,000 are hereby rescinded.

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981,

\$300,000,000 to be available for obligation in the period October 1, 1996 through September 30, 1997: Provided, That all of the funds available under this paragraph are hereby designated by Congress to be emergency requirements pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That these funds shall be made available only after submission to Congress of a formal budget request by the President that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985.

Funds made available in the fourth paragraph under this heading in Public Law 103-333 that remain unobligated as of September 30, 1996 shall remain available until September 30, 1997.

#### REFUGEE AND ENTRANT ASSISTANCE

For making payments for refugee and entrant assistance activities authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96-422), \$402,172,000: Provided, That funds appropriated pursuant to section 414(a) of the Immigration and Nationality Act under Public Law 103-112 for fiscal year 1994 shall be available for the costs of assistance provided and other activities conducted in such year and in fiscal years 1995 and 1996.

#### CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act of 1990), \$934,642,000, which shall be available for obligation under the same statutory terms and conditions applicable in the prior fiscal year.

#### SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, \$2,381,000,000: Provided, That notwithstanding section 2003(c) of such Act, the amount specified for allocation under such section for fiscal year 1996 shall be \$2,381,000,000.

#### CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of Public Law 95-266 (adoption opportunities), the Temporary Child Care for Children with Disabilities and Crisis Nurseries Act of 1986, the Abandoned Infants Assistance Act of 1988, and part B(1) of title IV of the Social Security Act; for making payments under the Community Services Block Grant Act; and for necessary administrative expenses to carry out said Acts and titles I, IV, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of 1981, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, and section 126 and titles IV and V of Public Law 100-485, \$4,767,006,000, of which \$435,463,000 shall be for making payments under the Community Services Block Grant Act: Provided, That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes.

In addition, \$21,358,000, to be derived from the Violent Crime Reduction Trust Fund, for carrying out sections 40155, 40211, 40241, and 40251 of Public Law 103-322.

#### FAMILY PRESERVATION AND SUPPORT

For carrying out section 430 of the Social Security Act, \$225,000,000.

#### PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For making payments to States or other non-Federal entities, under title IV-E of the Social Security Act, \$4,322,238,000.

#### ADMINISTRATION ON AGING AGING SERVICES PROGRAMS

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965, as amended, \$829,393,000 of which \$4,449,000 shall be for section 712 and \$4,732,000 shall be for section 721: Provided, That notwithstanding section 308(b)(1) of such Act, the amounts available to each State for administration of the State plan under title III of such Act shall be reduced not more than 5 percent below the amount that was available to such State for such purpose for fiscal year 1995.

#### OFFICE OF THE SECRETARY

##### GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six medium sedans, and for carrying out titles III, XVII, XX of the Public Health Service Act, \$139,499,000, together with \$6,628,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund: Provided, That of the funds made available under this heading for carrying out title XVII of the Public Health Service Act, \$7,500,000 shall be available until expended for extramural construction.

##### OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$36,162,000, together with any funds, to remain available until expended, that represent the equitable share from the forfeiture of property in investigations in which the Office of Inspector General participated, and which are transferred to the Office of the Inspector General by the Department of Justice, the Department of the Treasury, or the United States Postal Service.

##### OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, \$16,153,000, together with not to exceed \$3,314,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

##### POLICY RESEARCH

For carrying out, to the extent not otherwise provided, research studies under section 1110 of the Social Security Act, \$9,000,000.

##### PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For expenses necessary to prepare to respond to the health and medical consequences of nuclear, chemical, or biologic attack in the United States, \$7,000,000, to remain available until expended and, in addition, for clinical trials, applying imaging technology used for missile guidance and target recognition to new uses improving the early detection of breast cancer, \$2,000,000, to remain available until expended.

#### GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed \$37,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated under this Act may be used to implement section

399L(b) of the Public Health Service Act or section 1503 of the National Institutes of Health Revitalization Act of 1993, Public Law 103-43.

SEC. 204. None of the funds made available by this Act may be used to withhold payment to any State under the Child Abuse Prevention and Treatment Act by reason of a determination that the State is not in compliance with section 1340.2(d)(2)(ii) of title 45 of the Code of Federal Regulations. This provision expires upon the date of enactment of the reauthorization of the Child Abuse Prevention and Treatment Act or upon September 30, 1996, whichever occurs first.

SEC. 205. None of the funds appropriated in this or any other Act for the National Institutes of Health and the Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of \$125,000 per year.

SEC. 206. None of the funds appropriated in this Act may be expended pursuant to section 241 of the Public Health Service Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in the Department of Health and Human Services, prior to the Secretary's preparation and submission of a report to the Committee on Appropriations of the Senate and of the House detailing the planned uses of such funds.

(TRANSFER OF FUNDS)

SEC. 207. Of the funds appropriated or otherwise made available for the Department of Health and Human Services, General Departmental Management, for fiscal year 1996, the Secretary of Health and Human Services shall transfer to the Office of the Inspector General such sums as may be necessary for any expenses with respect to the provision of security protection for the Secretary of Health and Human Services.

SEC. 208. Notwithstanding section 106 of Public Law 104-91 and section 106 of Public Law 104-99, appropriations for the National Institutes of Health and the Centers for Disease Control and Prevention shall be available for fiscal year 1996 as specified in section 101 of Public Law 104-91 and section 128 of Public Law 104-99.

SEC. 209. None of the funds appropriated in this Act may be obligated or expended for the Federal Council on Aging under the Older Americans Act or the Advisory Board on Child Abuse and Neglect under the Child Abuse Prevention and Treatment Act.

SEC. 210. Of the funds provided for the account heading "Disease Control, Research, and Training" in Public Law 104-91, \$31,642,000, to be derived from the Violent Crime Reduction Trust Fund, is hereby available for carrying out sections 40151, 40261, and 40293 of Public Law 103-322 notwithstanding any provision of Public Law 104-91.

(TRANSFER OF FUNDS)

SEC. 211. Not to exceed 1 percent of any appropriation made available for the current fiscal year for the Department of Health and Human Services in this Act may be transferred between such appropriations, but not such appropriation shall be increased by more than 3 percent by any such transfers: Provided, That the Appropriations Committees of both Houses of Congress are notified at least fifteen days in advance of any transfers.

(TRANSFER OF FUNDS)

SEC. 212. The Director, National Institutes of Health, jointly with the Director, Office of AIDS Research, may transfer up to 3 percent among Institutes, Centers, and the National Library of Medicine from the total amounts identified in the apportionment for each Institute, Center, or the National Library of Medicine for AIDS research: Provided, That such transfers shall be within 30 days of enactment of this Act and be based on the scientific priorities established in the plan developed by the Director, Office of AIDS Research, in accordance with section 2353 of the Public Health Service Act: Provided fur-

ther, That the Congress is promptly notified of the transfer.

SEC. 213. In fiscal year 1996, the National Library of Medicine may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health.

SEC. 214. (a) REIMBURSEMENT OF CERTAIN CLAIMS UNDER THE MEDICAID PROGRAM.—Notwithstanding any other provision of law, and subject to subsection (b), in the case where payment has been made by a State under title XIX of the Social Security Act between December 31, 1993, and December 31, 1995, to a State-operated psychiatric hospital for services provided directly by the hospital or by providers under contract or agreement with the hospital, and the Secretary of Health and Human Services has notified the State that the Secretary intends to defer the determination of claims for reimbursement related to such payment but for which a deferral of such claims has not been taken as of March 1, 1996, (or, if such claims have been deferred as of such date, such claims have not been disallowed by such date), the Secretary shall—

(1) if, as of the date of the enactment of this title, such claims have been formally deferred or disallowed, discontinue any such action, and if a disallowance of such claims has been taken as of such date, rescind any payment reductions effected;

(2) not initiate any deferral or disallowance proceeding related to such claims; and

(3) allow reimbursement of such claims.

(b) LIMITATION ON RESCISSION OR REIMBURSEMENT OF CLAIMS.—The total amount of payment reductions rescinded or reimbursement of claims allowed under subsection (a) shall not exceed \$54,000,000.

This title may be cited as the "Department of Health and Human Services Appropriations Act, 1996".

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION REFORM

For carrying out activities authorized by titles III and IV of the Goals 2000: Educate America Act and the School-to-Work Opportunities Act, \$530,000,000, of which \$340,000,000 for the Goals 2000: Educate America Act and \$180,000,000 for the School-to-Work Opportunities Act shall become available on July 1, 1996, and remain available through September 30, 1997: Provided, That notwithstanding section 311(e) of Public Law 103-227, the Secretary is authorized to grant up to six additional State education agencies authority to waive Federal statutory or regulatory requirements for fiscal year 1996 and succeeding fiscal years: Provided further, That none of the funds appropriated under this heading shall be obligated or expended to carry out section 304(a)(2)(A) of the Goals 2000: Educate America Act.

EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965, and section 418A of the Higher Education Act, \$7,228,116,000, of which \$5,913,391,000 shall become available on July 1, 1996 and shall remain available through September 30, 1997 and of which \$1,298,386,000 shall become available on October 1, 1996 and shall remain available through September 30, 1997 for academic year 1996-1997: Provided, That \$5,985,839,000 shall be available for basic grants under section 1124: Provided further, That up to \$3,500,000 of these funds shall be available to the Secretary on October 1, 1995, to obtain updated local-educational-agency-level census poverty data from the Bureau of the Census: Provided further, That \$677,241,000 shall be available for concentration grants under section 1124(A) and \$3,370,000 shall be available for evaluations under section 1501.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the Elementary and Secondary Education Act of 1965, \$693,000,000, of which \$581,707,000 shall be for basic support payments under section 8003(b), \$40,000,000 shall be for payments for children with disabilities under section 8003(d), \$50,000,000, to remain available until expended, shall be for payments under section 8003(f), \$5,000,000 shall be for construction under section 8007, and \$16,293,000 shall be for Federal property payments under section 8002.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by titles II, IV-A-1 and 2, V-A, VI, section 7203, and titles IX, X and XIII of the Elementary and Secondary Education Act of 1965; the Stewart B. McKinney Homeless Assistance Act; and the Civil Rights Act of 1964; \$1,223,708,000 of which \$1,015,481,000 shall become available on July 1, 1996, and remain available through September 30, 1997: Provided, That of the amount appropriated, \$275,000,000 shall be for Eisenhower professional development State grants under title II-B and \$275,000,000 shall be for innovative education program strategies State grants under title VI-A: Provided further, That not less than \$3,000,000 shall be for innovative programs under section 511.

BILINGUAL AND IMMIGRANT EDUCATION

For carrying out, to the extent not otherwise provided, bilingual and immigrant education activities authorized by title VII of the Elementary and Secondary Education Act, without regard to section 7103(b), \$178,000,000 of which \$50,000,000 shall be for immigrant education programs authorized by part C: Provided, That State educational agencies may use all, or any part of, their part C allocation for competitive grants to local educational agencies: Provided further, That the Department of Education should only support instructional programs which ensure that students completely master English in a timely fashion (a period of three to five years) while meeting rigorous achievement standards in the academic content areas.

SPECIAL EDUCATION

For carrying out parts B, C, D, E, F, G, and H and section 610(j)(2)(C) of the Individuals with Disabilities Education Act, \$3,245,447,000, of which \$3,000,000,000 shall become available for obligation on July 1, 1996, and shall remain available through September 30, 1997: Provided, That notwithstanding section 621(e), funds made available for section 621 shall be distributed among each of the regional centers and the Federal center in proportion to the amount that each such center received in fiscal year 1995: Provided further, That the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau shall be considered public or private nonprofit entities or organizations for the purpose of parts C,D,E,F, and G of the Individuals with Disabilities Education Act: Provided further, That, from the funds available under section 611 of the Act, the Secretary shall award grants, for which Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, The Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau shall be eligible, to carry out the purposes set forth in section 601(c) of the Act, and that the amount of funds available for such grants shall be equal to the amount that the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau would be eligible to receive if they were considered jurisdictions for the purpose of section 611(e) of the Act: Provided further, That the Secretary shall award grants in accordance with the recommendations of the entity specified in section 1121(b)(2)(A) of the Elementary and Secondary Education Act, including the provision of administrative costs

to such entity not to exceed five percent: Provided further, That to be eligible for a competitive award under the Individuals with Disabilities Education Act, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau must meet the conditions applicable to States under part B of the Act.

#### REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Technology-Related Assistance for Individuals with Disabilities Act, and the Helen Keller National Center Act, as amended, and the 1996 Paralympics Games, \$2,456,120,000 of which \$7,000,000 will be used to support the Paralympics Games: Provided, That \$1,000,000 of the funds provided for Special Demonstrations shall be used to continue the two head injury centers that were first funded under this program in fiscal year 1992.

#### SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

##### AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), \$6,680,000.

##### NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), \$42,180,000: Provided, That from the amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207.

##### GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), \$77,629,000: Provided, That from the amount available, the University may at its discretion use funds for the endowment program as authorized under section 207.

#### VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational and Applied Technology Education Act, the Adult Education Act, and the National Literacy Act of 1991, \$1,340,261,000, of which \$4,869,000 shall be for the National Institute for Literacy; and of which \$1,337,342,000 shall become available on July 1, 1996 and shall remain available through September 30, 1997: Provided, That of the amounts made available under the Carl D. Perkins Vocational and Applied Technology Education Act, \$5,000,000 shall be for national programs under title IV without regard to section 451 and \$350,000 shall be for evaluations under section 451 and \$350,000 shall be for evaluations under section 346(b) of the Act and no funds shall be awarded to a State Council under section 112(f), and no State shall be required to operate such a Council.

#### STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3, and 4 of part A, part C, and part E of title IV of the Higher Education Act of 1965, as amended, \$6,312,033,000, which shall remain available through September 30, 1997: Provided, That notwithstanding section 401(a)(1) of the Act, there shall be not to exceed \$3,650,000 Pell Grant recipients in award year 1995-1996.

The maximum Pell Grant for which a student shall be eligible during award year 1996-1997 shall be \$2,470: Provided, That notwithstanding section 401(g) of the Act, as amended, if the Secretary determines, prior to publication of the payment schedule for award year 1996-1997, that the \$4,967,446,000 included within this appropriation for Pell Grant awards for award year 1996-1997, and any funds available from the fiscal year 1995 appropriation for Pell Grant awards, are insufficient to satisfy fully all such

awards for which students are eligible, as calculated under section 401(b) of the Act, the amount paid for each such award shall be reduced by either a fixed or variable percentage, or by a fixed dollar amount, as determined in accordance with a schedule of reductions established by the Secretary for this purpose.

#### FEDERAL FAMILY EDUCATION LOAN PROGRAM ACCOUNT

For Federal administrative expenses to carry out guaranteed student loans authorized by title IV, part B, of the Higher Education Act, as amended, \$30,066,000.

#### HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, parts A and B of title III, without regard to section 360(a)(1)(B)(ii), titles IV, V, VI, VII, and IX, part A and subpart 1 of part B of title X, and title XI of the Higher Education Act of 1965, as amended, Public Law 102-423, and the Mutual Educational and Cultural Exchange Act of 1961; \$836,964,000, of which \$16,712,000 for interest subsidies under title VII of the Higher Education Act, as amended, shall remain available until expended: Provided, That notwithstanding sections 419D, 419E, and 419H of the Higher Education Act, as amended, scholarships made under title IV, part A, subpart 6 shall be prorated to maintain the same number of new scholarships in fiscal year 1996 as in fiscal year 1995.

##### HOWARD UNIVERSITY

For partial support of Howard University (20 U.S.C. 121 et seq.), \$182,348,000: Provided, That from the amount available, the University may at its discretion use funds for the endowment program as authorized under the Howard University Endowment Act (Public Law 98-480).

#### HIGHER EDUCATION FACILITIES LOANS

The Secretary is hereby authorized to make such expenditures, within the limits of funds available under this heading and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation, as provided by section 104 of the Government Corporation Control Act (31 U.S.C. 9104), as may be necessary in carrying out the program for the current fiscal year.

#### COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For administrative expenses to carry out the existing direct loan program of college housing and academic facilities loans entered into pursuant to title VII, part C, of the Higher Education Act, as amended, \$700,000.

#### COLLEGE HOUSING LOANS

Pursuant to title VII, part C of the Higher Education Act, as amended, for necessary expenses of the college housing loans program, previously carried out under title IV of the Housing Act of 1950, the Secretary shall make expenditures and enter into contracts without regard to fiscal year limitation using loan repayments and other resources available to this account. Any unobligated balances becoming available from fixed fees paid into this account pursuant to 12 U.S.C. 1749d, relating to payment of costs for inspections and site visits, shall be available for the operating expenses of this account.

#### HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING, PROGRAM ACCOUNT

The total amount of bonds insured pursuant to section 724 of title VII, part B of the Higher Education Act shall not exceed \$357,000,000, and the cost, as defined in section 502 of the Congressional Budget Act of 1974, of such bonds shall not exceed zero.

For administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to title VII, part B of the Higher Education Act, as amended, \$166,000.

#### EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

For carrying out activities authorized by the Educational Research, Development, Dissemination, and Improvement Act; the National Education Statistics Act; sections 2102, 3136, 3141, and parts B, C, and D of title III, parts A, B, I, and K, and section 10601 of title X, part C of title XIII of the Elementary and Secondary Education Act of 1965, as amended, and title VI of the Goals 2000: Educate America Act, \$351,268,000: Provided, That \$48,000,000 shall be for sections 3136 and 3141 of the Elementary and Secondary Education Act: Provided further, That \$3,000,000 shall be for the elementary mathematics and science equipment projects under the fund for the improvement of education: Provided further, That funds shall be used to extend star schools partnership projects that received continuation grants in fiscal year 1995: Provided further, That none of the funds appropriated in this paragraph may be obligated or expended for the Goals 2000 Community Partnerships Program: Provided further, That funds for International Education Exchange shall be used to extend the two grants awarded in fiscal year 1995.

#### LIBRARIES

For carrying out, to the extent not otherwise provided, titles I, II, III, and IV of the Library Services and Construction Act, and title II-B of the Higher Education Act, \$132,505,000, of which \$16,369,000 shall be used to carry out the provisions of title II of the Library Services and Construction Act and shall remain available until expended; and \$2,500,000 shall be for section 222 and \$3,000,000 shall be for section 223 of the Higher Education Act: Provided, That \$1,000,000 shall be awarded to the Survivors of the Shoah Vialal Foundation to document and archive holocaust survivors' testimony: Provided further, That \$1,000,000 shall be for the continued funding of an existing demonstration project making information available for public use by connecting Internet to a multistate consortium: Provided further, That \$1,000,000 shall be awarded to the National Museum of Women in the Arts.

#### DEPARTMENTAL MANAGEMENT PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of two passenger motor vehicles, \$327,319,000.

#### OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, \$55,451,000.

#### OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, as authorized by section 212 of the Department of Education Organization Act, \$28,654,000.

#### HEADQUARTERS RENOVATION

For necessary expenses for the renovation of the Department of Education headquarters building, \$7,000,000, to remain available until September 30, 1998.

#### GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest

the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated under this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

SEC. 304. No funds appropriated under this Act shall be made available for opportunity to learn standards or strategies.

SEC. 305. Notwithstanding any other provision of law, funds available under section 458 of the Higher Education Act shall not exceed \$436,000,000 for fiscal year 1996. The Department of Education shall pay administrative cost allowances owed to guaranty agencies for fiscal year 1995 estimated to be \$95,000,000 and administrative cost allowances owed to guaranty agencies for fiscal year 1996 estimated to be \$81,000,000. The Department of Education shall pay administrative cost allowances to guaranty agencies, to be paid quarterly, calculated on the basis of 0.85 percent of the total principal amount of loans upon which insurance was issued on or after October 1, 1995 by such guaranty agencies. Receipt of such funds and uses of such funds by guaranty agencies shall be in accordance with section 428(f) of the Higher Education Act.

Notwithstanding section 458 of the Higher Education Act, the Secretary may not use funds available under that section or any other section for subsequent fiscal years for administrative expenses of the William D. Ford Direct Loan Program. The Secretary may not require the return of guaranty agency reserve funds during fiscal year 1996, except after consultation with both the Chairmen and Ranking Members of the House Economic and Educational Opportunities Committee and the Senate Labor and Human Resources Committee. Any reserve funds recovered by the Secretary shall be returned to the Treasury of the United States for purposes of reducing the Federal deficit.

No funds available to the Secretary may be used for (1) the hiring of advertising agencies or other third parties to provide advertising services for student loan programs, or (2) payment of administrative fees relating to the William D. Ford Direct Loan Program to institutions of higher education.

SEC. 306. From any unobligated funds that are available to the Secretary of Education to carry out sections 5 or 14 of the Act of September 23, 1950 (Public Law 815, 81st Congress) (as such Act was in effect on September 30, 1994)—

(1) half of the funds shall be available to the Secretary of Education to carry out subsection (c) of this section; and

(2) half of the funds shall be available to the Secretary of Education to carry out subparagraphs (B), (C), and (D) of section 8007(a)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707(a)(2)), as amended by subsection (b) of this section.

(b) Subparagraph (B) of section 8007(a)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707(a)(2)) is amended by striking "and in which the agency" and all that follows through "renovation".

(c)(1) The Secretary of Education shall award the funds described in subsection (a)(1) to local educational agencies, under such terms and conditions as the Secretary of Education determines appropriate, for the construction of public elementary or secondary schools on Indian reservations or in school districts that—

(A) the Secretary of Education determines are in dire need of construction funding;

(B) contain a public elementary or secondary school that serves a student population which is 90 percent Indian students; and

(C) serve students who are taught in inadequate or unsafe structures, or in a public elementary or secondary school that has been condemned.

(2) A local educational agency that receives construction funding under this subsection for fiscal year 1996 shall not be eligible to receive any funds under section 8007 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707) for school construction for fiscal years 1996 and 1997.

(3) As used in this subsection, the term "construction" has the meaning given that term in section 8013(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(3)).

(4) No request for construction funding under this subsection shall be approved unless the request is received by the Secretary of Education not later than 30 days after the date of enactment of this Act.

(d) The Secretary of Education shall report to the House and Senate Appropriations Committees on the total amounts available pursuant to subsections (a)(1) and (a)(2) within 30 days of enactment of this Act.

SEC. 307. None of the funds appropriated in this Act may be obligated or expended to carry out sections 727, 932, and 1002 of the Higher Education Act of 1965, and section 621(b) of Public Law 101-589.

#### (TRANSFER OF FUNDS)

SEC. 308. Not to exceed 1 percent of any appropriation made available for the current fiscal year for the Department of Education in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfers: Provided, That the Appropriations Committees of both Houses of Congress are notified at least fifteen days in advance of any transfers.

This title may be cited as the "Department of Education Appropriations Act, 1996".

#### TITLE IV—RELATED AGENCIES

##### ARMED FORCES RETIREMENT HOME

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the United States Soldiers' and Airmen's Home and the United States Naval Home, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$55,971,000, of which \$1,954,000 shall remain available until expended for construction and renovation of the physical plants at the United States Soldiers' and Airmen's Home and the United States Naval Home: Provided, That this appropriation shall not be available for the payment of hospitalization of members of the Soldiers' and Airmen's Home in United States Army hospitals at rates in excess of those prescribed by the Secretary of the Army upon recommendation of the Board of Commissioners and the Surgeon General of the Army.

##### CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

##### DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

For expenses necessary for the Corporation for National and Community Service to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, \$198,393,000.

##### CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 1998, \$250,000,000: Provided, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: Provided further, That none of the funds contained in this paragraph

shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex.

##### FEDERAL MEDIATION AND CONCILIATION SERVICE SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor Management Relations Act, 1947 (29 U.S.C. 171-180, 182-183), including hire of passenger motor vehicles; and for expenses necessary for the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a); and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 95-454 (5 U.S.C. chapter 71), \$32,896,000 including \$1,500,000, to remain available through September 30, 1997, for activities authorized by the Labor Management Cooperation Act of 1978 (29 U.S.C. 175a): Provided, That notwithstanding 31 U.S.C. 3302, fees charged for special training activities up to full-cost recovery shall be credited to and merged with this account, and shall remain available until expended: Provided further, That the Director of the Service is authorized to accept on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

##### FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

##### SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), \$6,200,000.

##### NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

##### SALARIES AND EXPENSES

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91-345, as amended by Public Law 102-95), \$829,000.

##### NATIONAL COUNCIL ON DISABILITY

##### SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, as amended, \$1,793,000.

##### NATIONAL EDUCATION GOALS PANEL

For expenses necessary for the National Education Goals Panel, as authorized by title II, part A of the Goals 2000: Educate America Act, \$1,000,000.

##### NATIONAL LABOR RELATIONS BOARD

##### SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141-167), and other laws, \$170,743,000: Provided, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 per centum of the water stored or supplied thereby is used for farming purposes: Provided further, That none of the funds made available by this Act shall be used in any way to promulgate a final rule (altering 29 CFR part 103) regarding single location bargaining units in representation cases.

## NATIONAL MEDIATION BOARD

## SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151-188), including emergency boards appointed by the President, \$7,837,000.

## OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

## SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission (29 U.S.C. 661), \$8,100,000.

## PHYSICIAN PAYMENT REVIEW COMMISSION

## SALARIES AND EXPENSES

For expenses necessary to carry out section 1845(a) of the Social Security Act, \$2,923,000, to be transferred to this appropriation from the Federal Supplementary Medical Insurance Trust Fund.

## PROSPECTIVE PAYMENT ASSESSMENT COMMISSION

## SALARIES AND EXPENSES

For expenses necessary to carry out section 1886(e) of the Social Security Act, \$3,267,000, to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

## SOCIAL SECURITY ADMINISTRATION

## PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance trust funds, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, \$22,641,000.

In addition, to reimburse these trust funds for administrative expenses to carry out sections 9704 and 9706 of the Internal Revenue Code of 1986, \$10,000,000, to remain available until expended.

## SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, \$485,396,000, to remain available until expended.

For making, after July 31 of the current fiscal year, benefit payments to individuals under title IV of the Federal Mine Safety and Health Act of 1977, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV of the Federal Mine Safety and Health Act of 1977 for the first quarter of fiscal year 1997, \$170,000,000, to remain available until expended.

## SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92-603, section 212 of Public Law 93-66, as amended, and section 405 of Public Law 95-216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, \$18,545,512,000, to remain available until expended, of which \$1,500,000 shall be for a demonstration program to foster economic independence among people with disabilities through disability sport, in connection with the Tenth Paralympic Games: Provided, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury.

In addition, \$15,000,000, to remain available until September 30, 1997, for continuing disability reviews as authorized by section 103 of Public Law 104-121. The term "continuing disability reviews" has the meaning given such term by section 201(g)(1)(A) of the Social Security Act.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For carrying out title XVI of the Social Security Act for the first quarter of fiscal year 1997, \$9,260,000,000, to remain available until expended.

## LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two medium size passenger motor vehicles, and not to exceed \$10,000 for official reception and representation expenses, not more than \$5,267,268,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act or as necessary to carry out sections 9704 and 9706 of the Internal Revenue Code of 1986 from any one or all of the trust funds referred to therein: Provided, That reimbursement to the trust funds under this heading for administrative expenses to carry out sections 9704 and 9706 of the Internal Revenue Code of 1986 shall be made, with interest, not later than September 30, 1997: Provided further, That unobligated balances at the end of fiscal year 1996 not needed for fiscal year 1996 shall remain available until expended for a state-of-the-art computing network, including related equipment and administrative expenses associated solely with this network.

In addition to funding already available under this heading, and subject to the same terms and conditions, \$387,500,000, for disability caseload processing.

From funds provided under the previous two paragraphs, not less than \$200,000,000 shall be available for conducting continuing disability reviews.

In addition to funding already available under this heading, and subject to the same terms and conditions, \$60,000,000, to remain available until September 30, 1997, for continuing disability reviews as authorized by section 103 of Public Law 104-121. The term "continuing disability reviews" has the meaning given such term by section 201(g)(1)(A) of the Social Security Act.

In addition to funding already available under this heading, and subject to the same terms and conditions, \$167,000,000, which shall remain available until expended, to invest in a state-of-the-art computing network, including related equipment and administrative expenses associated solely with this network, for the Social Security Administration and the State Disability Determination Services, may be expended from any or all of the trust funds as authorized by section 201(g)(1) of the Social Security Act.

## OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$4,816,000, together with not to exceed \$21,076,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

## RAILROAD RETIREMENT BOARD

## DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, \$239,000,000, which shall include amounts becoming available in fiscal year 1996 pursuant to section 224(c)(1)(B) of Public Law 98-76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds \$239,000,000: Provided, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

## FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, \$300,000, to remain available through September 30, 1997, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98-76.

## LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board, \$73,169,000, to be derived from the railroad retirement accounts.

## LIMITATION ON RAILROAD UNEMPLOYMENT INSURANCE ADMINISTRATION FUND

For further expenses necessary for the Railroad Retirement Board, for administration of the Railroad Unemployment Insurance Act, not less than \$16,786,000 shall be apportioned for fiscal year 1996 from moneys credited to the railroad unemployment insurance administration fund.

## SPECIAL MANAGEMENT IMPROVEMENT FUND

To effect management improvements, including the reduction of backlogs, accuracy of taxation accounting, and debt collection, \$659,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account: Provided, That these funds shall supplement, not supplant, existing resources devoted to such operations and improvements.

## LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, as amended, not more than \$5,673,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account.

## UNITED STATES INSTITUTE OF PEACE

## OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, \$11,500,000.

## TITLE V—GENERAL PROVISIONS

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: Provided, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress.

SEC. 504. The Secretaries of Labor and Education are each authorized to make available not to exceed \$15,000 from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed \$2,500 from the funds available for "Salaries and expenses, Federal Mediation and Conciliation Service"; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed \$2,500 from funds available for "Salaries and expenses, National Mediation Board".

SEC. 505. Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles for the hypodermic

injection of any illegal drug unless the Secretary of Health and Human Services determines that such programs are effective in preventing the spread of HIV and do not encourage the use of illegal drugs.

**SEC. 506. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.**—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

**(b) NOTICE REQUIREMENT.**—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

**SEC. 507.** When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state (1) the percentage of the total costs of the program or project which will be financed with Federal money, (2) the dollar amount of Federal funds for the project or program, and (3) percentage and dollar amount of the total costs of the project or program that will be financed by nongovernmental sources.

**SEC. 508.** None of the funds appropriated under this Act shall be expended for any abortion except when it is made known to the Federal entity or official to which funds are appropriated under this Act that such procedure is necessary to save the life of the mother or that the pregnancy is the result of an act of rape or incest.

**SEC. 509.** Notwithstanding any other provision of law—

(1) no amount may be transferred from an appropriation account for the Departments of Labor, Health and Human Services, and Education except as authorized in this or any subsequent appropriation act, or in the Act establishing the program or activity for which funds are contained in this Act;

(2) no department, agency, or other entity, other than the one responsible for administering the program or activity for which an appropriation is made in this Act, may exercise authority for the timing of the obligation and expenditure of such appropriation, or for the purposes for which it is obligated and expended, except to the extent and in the manner otherwise provided in sections 1512 and 1513 of title 31, United States Code; and

(3) no funds provided under this Act shall be available for the salary (or any part thereof) of an employee who is reassigned on a temporary detail basis to another position in the employing agency or department or in any other agency or department, unless the detail is independently approved by the head of the employing department or agency.

**SEC. 510. LIMITATION ON USE OF FUNDS.**—None of the funds made available in this Act may be used for the expenses of an electronic benefit transfer (EBT) task force.

**SEC. 511.** None of the funds made available in this Act may be used to enforce the requirements of section 428(b)(1)(U)(iii) of the Higher Education Act of 1965 with respect to any lender when it is made known to the Federal official having authority to obligate or expend such funds that the lender has a loan portfolio under part B of title IV of such Act that is equal to or less than \$5,000,000.

**SEC. 512.** None of the funds made available in this Act may be used for Pell Grants under subpart 1 of part A of title IV of the Higher Education Act of 1965 to students attending an institution of higher education that is ineligible to participate in a loan program under such title as a result of a final default rate determination

made by the Secretary under the Federal Family Education Loan or Federal Direct Loan program under parts B and D of such title, respectively, and issued by the Secretary on or after February 14, 1996. The preceding sentence shall not apply to an institution that (1) was not participating in either such loan program on such date (or would not have been participating on such date but for the pendency of an appeal of a default rate determination issued prior to such date) unless the institution subsequently participates in either such loan program; or (2) has a participation rate index (as defined at 34 CFR 668.17) that is less than or equal to 0.0375.

No institution may be subject to the terms of this section unless it has had the opportunity to appeal its default rate determination under regulations issued by the Secretary for the FFEL and Federal Direct Loan Programs.

**SEC. 513.** No more than 1 percent of salaries appropriated for each Agency in this Act may be expended by that Agency on cash performance awards: Provided, That of the budgetary resources available to Agencies in this Act for salaries and expenses during fiscal year 1996, \$30,500,000, to be allocated by the Office of Management and Budget, are permanently canceled: Provided further, That the foregoing proviso shall not apply to the Food and Drug Administration and the Indian Health Service.

**SEC. 514. (a) HIGH COST TRAINING EXCEPTION.**—Section 428H(d)(2) of the Higher Education Act of 1965 (20 U.S.C. 1078-8(d)(2)) is amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following:

“except in cases where the Secretary determines, that a higher amount is warranted in order to carry out the purpose of this part with respect to students engaged in specialized training requiring exceptionally high costs of education, but the annual insurable limit per student shall not be deemed to be exceeded by a line of credit under which actual payments by the lender to the borrower will not be made in any years in excess of the annual limit.”

**(b) EFFECTIVE DATE.**—The amendments made by subsection (a) shall be effective for loans made to cover the cost of instruction for periods of enrollment beginning on or after July 1, 1996.

**ESTABLISHMENT OF PROHIBITION AGAINST ABORTION-RELATED DISCRIMINATION IN TRAINING AND LICENSING OF PHYSICIANS**

**SEC. 515.** Part B of title II of the Public Health Service Act (42 U.S.C. 238 et seq.) is amended by adding at the end the following section:

“ABORTION-RELATED DISCRIMINATION IN GOVERNMENTAL ACTIVITIES REGARDING TRAINING AND LICENSING OF PHYSICIANS

**SEC. 245. (a) IN GENERAL.**—The Federal Government, and any State or local government that receives Federal financial assistance, may not subject any health care entity to discrimination on the basis that—

“(1) the entity refuses to undergo training in the performance of induced abortions, to require or provide such training, to perform such abortions, or to provide referrals for such training or such abortions;

“(2) the entity refuses to make arrangements for any of the activities specified in paragraph (1); or

“(3) the entity attends (or attended) a postgraduate physician training program, or any other program of training in the health professions, that does not (or did not) perform induced abortions or require, provide or refer for training in the performance of induced abortions, or make arrangements for the provision of such training.

“(b) ACCREDITATION OF POSTGRADUATE PHYSICIAN TRAINING PROGRAMS.—

“(1) IN GENERAL.—In determining whether to grant a legal status to a health care entity (including a license or certificate), or to provide such entity with financial assistance, services or other benefits, the Federal Government, or any

State or local government that receives Federal financial assistance, shall deem accredited any postgraduate physician training program that would be accredited but for the accrediting agency's reliance upon an accreditation standards that requires an entity to perform an induced abortion or require, provide, or refer for training in the performance of induced abortions, or make arrangements for such training, regardless of whether such standard provides exceptions or exemptions. The government involved shall formulate such regulations or other mechanisms, or enter into such agreements with accrediting agencies, as are necessary to comply with this subsection.

“(2) RULES OF CONSTRUCTION.—

“(A) IN GENERAL.—With respect to subclauses (I) and (II) of section 705(a)(2)(B)(i) (relating to a program of insured loans for training in the health professions), the requirements in such subclauses regarding accredited internship or residency programs are subject to paragraph (1) of this subsection.

“(B) EXCEPTIONS.—This section shall not—

“(i) prevent any health care entity from voluntarily electing to be trained, to train, or to arrange for training in the performance of, to perform, or to make referrals for induced abortions; or

“(ii) prevent an accrediting agency or a Federal, State or local government from establishing standards of medical competency applicable only to those individuals who have voluntarily elected to perform abortions.

“(c) DEFINITIONS.—For purposes of this section:

“(1) The term ‘financial assistance’, with respect to a government program, includes governmental payments provided as reimbursement for carrying out health-related activities.

“(2) The term ‘health care entity’ includes an individual physician, a postgraduate physician training program, and a participant in a program of training in the health professions.

“(3) The term ‘postgraduate physician training program’ includes a residency training program.”

**SEC. 516. SURVEY AND CERTIFICATION OF MEDICAL CARE PROVIDERS.**

**(a) INTERVALS BETWEEN STANDARD SURVEYS FOR HOME HEALTH AGENCIES.**—Section 1891(c)(2)(A) of the Social Security Act (42 U.S.C. 1395bbb(c)(2)(A)) is amended—

(1) by striking “15 months” and inserting “36 months”; and

(2) by amending the second sentence to read as follows: “The Secretary shall establish a frequency for surveys of home health agencies within this 36-month interval commensurate with the need to assure the delivery of quality home health services.”

**(b) RECOGNITION OF ACCREDITATION.**—Section 1865 of such Act (42 U.S.C. 1395bb) is amended—

(1) by redesignating subsection (b) as subsection (d),

(2) by redesignating the fourth sentence of subsection (a) as subsection (c), and

(3) by striking the third sentence of subsection (a) and inserting after and below the second sentence the following new subsection:

“(b)(1) In addition, if the Secretary finds that accreditation of a provider entity (as defined in paragraph (4)) by the American Osteopathic Association or any other national accreditation body demonstrates that all of the applicable conditions or requirements of this title (other than the requirements of section 1834(j) or the conditions and requirements under section 1881(b)) are met or exceeded—

“(A) in the case of a provider entity not described in paragraph (3)(B), the Secretary shall treat such entity as meeting those conditions or requirements with respect to which the Secretary made such finding; or

“(B) in the case of a provider entity described in paragraph (3)(B), the Secretary may treat



such entity as meeting those conditions or requirements with respect to which the Secretary made such finding.

"(2) In making such a finding, the Secretary shall consider, among other factors with respect to a national accreditation body, its requirements for accreditation, its survey procedures, its ability to provide adequate resources for conducting required surveys and supplying information for use in enforcement activities, its monitoring procedures for provider entities found out of compliance with the conditions or requirements, and its ability to provide the Secretary with necessary data for validation.

"(3)(A) Except as provided in subparagraph (B), not later than 60 days after the date of receipt of a written request for a finding under paragraph (1) (with any documentation necessary to make a determination on the request), the Secretary shall publish a notice identifying the national accreditation body making the request, describing the nature of the request, and providing a period of at least 30 days for the public to comment on the request. The Secretary shall approve or deny a request for such a finding, and shall publish notice of such approval or denial, not later than 210 days after the date of receipt of the request (with such documentation). Such an approval shall be effective with respect to accreditation determinations made on or after such effective date (which may not be later than the date of publication of the approval) as the Secretary specifies in the publication notice.

"(B) The 210-day and 60-day deadlines specified in subparagraph (A) shall not apply in the case of any request for a finding with respect to accreditation of a provider entity to which the conditions and requirements of section 1819 and 1861(j) apply.

"(4) For purposes of this section, the term 'provider entity' means a provider of services, supplier, facility, clinic, agency, or laboratory."

(c) AUTHORITY FOR VALIDATION SURVEYS.—

(1) IN GENERAL.—The first sentence of section 1864(c) of such Act (42 U.S.C. 1395aa(c)) is amended by striking "hospitals" and all that follows and inserting "provider entities that, pursuant to subsection (a) or (b)(1) of section 1865, are treated as meeting the conditions or requirements of this title."

(2) CONFORMING AMENDMENTS.—Section 1865 of such Act, as amended by subsection (b), is further amended—

(A) in subsection (d), as redesignated by subsection (b)(1)—

(i) by striking "a hospital" and inserting "a provider entity";

(ii) by striking "the hospital" each place it appears and inserting "the entity"; and

(iii) by striking "the requirements of the numbered paragraphs of section 1861(e)" and inserting "the conditions or requirements the entity has been treated as meeting pursuant to subsection (a) or (b)(1)"; and

(B) by adding at the end the following new subsection:

"(e) For provisions relating to validation surveys of entities that are treated as meeting applicable conditions or requirements of this title pursuant to subsection (a) or (b)(1), see section 1864(c)."

(d) STUDY AND REPORT ON DEEMING FOR NURSING FACILITIES AND RENAL DIALYSIS FACILITIES.—

(1) STUDY.—The Secretary of Health and Human Services shall provide for—

(A) a study concerning the effectiveness and appropriateness of the current mechanisms for surveying and certifying skilled nursing facilities for compliance with the conditions and requirements of sections 1819 and 1861(j) of the Social Security Act and nursing facilities for compliance with the conditions of section 1919 of such Act, and

(B) a study concerning the effectiveness and appropriateness of the current mechanisms for

surveying and certifying renal dialysis facilities for compliance with the conditions and requirements of section 1881(b) of the Social Security Act.

(2) REPORT.—Not later than July 1, 1997, the Secretary shall transmit to Congress a report on each of the studies provided for under paragraph (1). The report on the study under paragraph (1)(A) shall include (and the report on the study under paragraph (1)(B) may include) a specific framework, where appropriate, for implementing a process under which facilities covered under the respective study may be deemed to meet applicable medicare conditions and requirements if they are accredited by a national accreditation body.

SEC. 517. The Secretary of Health and Human Services shall grant a waiver of the requirements set forth in section 1903(m)(2)(A)(ii) of the Social Security Act to D.C. Chartered Health Plan, Inc. of the District of Columbia: Provided, That such waiver shall be deemed to have been in place for all contract periods from October 1, 1991 through the current contract period or October 1, 1999, whichever shall be later.

SEC. 518. Section 119 of Public Law 104-99 is hereby repealed.

OPTIONAL, ALTERNATIVE MEDICAID PAYMENT METHOD

SEC. 519. (a) ELECTION.—A heavily impacted high-DSII State (as defined in subsection (d)) may elect to receive payments for expenditures under title XIX of the Social Security Act for the period beginning October 1, 1995, and ending June 30, 1996 (in this section referred to as the "9-month period"), for State fiscal year 1996-1997, and (subject to subsection (c)(4) for State fiscal year 1997-1998 in accordance with the alternative payment method specified in subsection (b) rather than in accordance with section 1903(a) of such Act.

(b) ALTERNATIVE PAYMENT METHOD.—

(1) IN GENERAL.—Under the alternative payment method specified in this subsection—

(A) any percentage otherwise specified in section 1903(a) of the Social Security Act for expenditures in the 9-month period or a State fiscal year for which the election is in effect shall be equal to 100 percent minus the non-Federal participation percentage (specified under paragraph (2)) for the State for that period or State fiscal year, and

(B) the total payment for the 9-month period or a State fiscal year in which the election is in effect may not exceed the maximum Federal financial participation specified in paragraph (5) for the period or year.

In applying subparagraph (B), there shall not be counted as payments for any period or fiscal year any payment that is attributable to an expenditure which is exempt under subsection (c)(1). In applying such subparagraph to the 9-month period, there shall be counted payments (other than those described in the previous sentence) that are attributable to an expenditure for periods occurring in the 9-month period and before the date of the enactment of this Act.

(2) NON-FEDERAL PARTICIPATION PERCENTAGE.—For purposes of paragraph (1), the "non-Federal participation percentage" for a State for the 9-month period or State fiscal year is equal to the ratio of—

(A) the State's base State expenditures (as defined in paragraph (3)) plus the applicable percentage (as defined in paragraph (4)) of the difference between the amount of such expenditures and the amount of the State expenditures that would be required for the State to qualify for the maximum Federal financial participation specified in paragraph (5A) under title XIX of the Social Security Act if this section did not apply for such period or State fiscal year; to

(B) the total expenditures under the State plan of the State under such title for such period or State fiscal year.

Such ratio shall be calculated as if total expenditures under the State plan were no greater than

necessary for the State to receive the maximum Federal financial participation specified in paragraph (5).

(3) BASE STATE EXPENDITURES.—For purposes of this subsection, the term "base State expenditures" means—

(A) for the 9-month period, \$266,250,000, or

(B) for State fiscal year 1996-1997, \$355,000,000, or

(C) for State fiscal year 1997-1998, \$355,000,000.

(4) APPLICABLE PERCENTAGE.—For purposes of this subsection, the "applicable percentage"—

(A) for the 9-month period is 20 percent,

(B) for State fiscal year 1996-1997 is 35 percent, and

(C) for State fiscal year 1997-1998 is 55 percent.

(5) MAXIMUM FEDERAL PARTICIPATION.—For purposes of this section, the maximum Federal financial participation specified in this paragraph for a State—

(A) for the 9-month period, \$1,966,500,000.

(B) for State fiscal year 1996-1997 is \$2,622,000,000, and

(C) for State fiscal year 1997-1998 is \$2,622,000,000.

(c) ADDITIONAL RULES.—

(1) LIMITING APPLICATION TO EXPENDITURES FOR PERIODS IN WHICH ELECTION IN EFFECT.—This section (and the maximum Federal financial participation specified in subsection (b)(5)) shall not apply to any expenditure that is applicable to a reporting period that is not covered under an election under subsection (a), including any expenditure applicable to any reporting period before October 1, 1995.

(2) ELECTION PROCESS.—An election of a State under subsection (a) shall be made, by notice from the Governor of the State to the Secretary of Health and Human Services, not later than 30 days after the date of the enactment of this Act.

(3) LIMITATION.—For any period (on or after the date of an election under this section) in which an election is in effect for a State under this section—

(A) the Federal Government has no obligation to provide payment with respect to items and services provided under title XIX of the Social Security Act in excess of the maximum Federal financial participation specified in subsection (b)(5) and such title shall not be construed as providing for an entitlement, under Federal law in relation to the Federal Government, in an individual or person (including any provider) at the time of provision or receipt of services; and

(B) the State shall provide an entitlement to any person to receive any service or other benefit to the extent that such person would, but for this paragraph, be entitled to such service or other benefit under such title.

(4) CONDITION FOR STATE FISCAL YEAR 1997-1998.—This section shall not apply to State fiscal year 1997-1998 except to the extent provided for in a subsequent appropriation act.

(d) DEFINITION.—For purposes of this section, the term "heavily impacted high-DSH State" means the State of Louisiana.

(e) STATE FISCAL YEARS DEFINED.—For purposes of this section—

(1) the term "State fiscal year 1996-1997" means the period beginning July 1, 1996, and ending June 30, 1997, and

(2) the term "State fiscal year 1997-1998" means the period beginning July 1, 1997, and ending June 30, 1998.

SEC. 520. (a) Congress finds that—

(1) the practice of female genital mutilation is carried out by members of certain cultural and religious groups within the United States; and

(2) the practice of female genital mutilation often results in the occurrence of physical and psychological health effects that harm the women involved.

(d) The Secretary of Health and Human Services shall do the following:

(i) Compile data on the number of females living in the United States who have been

subjected to female genital mutilation (whether in the United States or in their countries of origin), including a specification of the number of girls under the age of 18 who have been subjected to such mutilation.

(2) Identify communities in the United States that practice female genital mutilation, and design and carry out outreach activities to educate individuals in the communities on the physical and psychological health effects of such practice. Such outreach activities shall be designed and implemented in collaboration with representatives of the ethnic groups practicing such mutilation and with representatives of organizations with expertise in preventing such practice.

(3) Develop recommendations for the education of students of schools of medicine and osteopathic medicine regarding female genital mutilation and complications arising from such mutilation. Such recommendations shall be disseminated to such schools.

(c) For purposes of this section the term "female genital mutilation" means the removal or infibulation (or both) of the whole or part of the clitoris, the labia minor, or the labia major.

(d) The Secretary of Health and Human Services shall commence carrying out this section not later than 90 days after the date of enactment of this Act.

#### TITLE VI—ADDITIONAL APPROPRIATIONS

SEC. 601. In addition to amounts otherwise provided in this Act, the following amounts are hereby appropriated as specified for the following appropriation accounts: Health Care Financing Administration, "Program Management", \$396,000,000; and Office of the Secretary, "Office of Inspector General", \$22,330,000, together with not to exceed \$20,670,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

SEC. 602. Appropriations and funds made available pursuant to section 601 of this Act shall be available until enactment into law of a subsequent appropriation for fiscal year 1996 for any project or activity provided for in section 601.

#### TITLE VII—AMENDMENTS TO THE GOALS 2000: EDUCATE AMERICA ACT

##### SEC. 701. ELIMINATION OF THE NATIONAL EDUCATION STANDARDS AND IMPROVEMENT COUNCIL AND OPPORTUNITY-TO-LEARN STANDARDS.

The Goals 2000: Educate America Act (20 U.S.C. 5801 et seq.) is amended—

(1) by repealing part B of title II (20 U.S.C. 5841 et seq.);

(2) by redesignating parts C and D of title II (20 U.S.C. 5861 et seq. and 5871 et seq.) as parts B and C, respectively, of title II; and

(3) in section 241 (20 U.S.C. 5871)—

(A) in subsection (a), by striking "(a) NATIONAL EDUCATION GOALS PANEL.—"; and

(B) by striking subsections (b) through (d).

##### SEC. 702. STATE AND LOCAL EDUCATION SYSTEMIC IMPROVEMENT.

(A) PANEL COMPOSITION; OPPORTUNITY-TO-LEARN STANDARDS; AND SUBMISSION OF PLAN TO THE SECRETARY FOR APPROVAL.—

(1) STATE IMPROVEMENT PLAN.—Section 306 of the Goals 2000: Educate America Act (20 U.S.C. 5886) is amended—

(A) by amending subsection (b) to read as follows:

"(b) PLAN DEVELOPMENT.—A State improvement plan under this title shall be developed by a broad-based State panel in cooperation with the State educational agency and the Governor.;"

(B) by striking subsection (d).

(b) LOCAL PANEL COMPOSITION.—Section 309(a)(3)(A) of such Act (20 U.S.C. 5889(a)(3)(A)) is amended—

(1) in the matter preceding clause (i), by striking "that—" and inserting a semicolon; and

(2) by striking clauses (i) and (ii).

##### SEC. 703. TECHNICAL AND CONFORMING AMENDMENTS.

(a) GOALS 2000: EDUCATE AMERICA ACT.—

(1) The table of contents for the Goals 2000: Educate America Act is amended, in the items relating to title II—

(A) by striking the items relating to part B;

(B) by striking "Part C" and inserting "Part B"; and

(C) by striking "Part D" and inserting "Part C".

(2) Section 2 of such Act (20 U.S.C. 5801) is amended—

(A) in paragraph (4)—

(i) in subparagraph (B), by inserting "and" after the semicolon;

(ii) by striking subparagraph (C); and

(iii) by redesignating subparagraph (D) as subparagraph (C); and

(B) in paragraph (6)—

(i) by striking subparagraph (C); and

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (C) through (E), respectively.

(3) Section 3(a) of such Act (20 U.S.C. 5802) is amended—

(A) by striking paragraph (7); and

(B) by redesignating paragraphs (8) through (14) as paragraphs (7) through (13), respectively.

(4) Section 201(3) of such Act (20 U.S.C. 5821(3)) is amended by striking "voluntary national student performance" and all that follows through "such Council" and inserting "and voluntary national student performance standards".

(5) Section 202(j) of such Act (20 U.S.C. 5822(j)) is amended by striking "student performance, or opportunity-to-learn" and inserting "or student performance".

(6) Section 203 of such Act (20 U.S.C. 5823) is amended—

(A) in subsection (a)—

(i) by striking paragraphs (2) and (3);

(ii) by redesignating paragraphs (4) through (6) as paragraphs (2) through (4), respectively; and

(iii) by amending paragraph (2) (as redesignated by clause (ii)) to read as follows:

"(2) review voluntary national content standards and voluntary national student performance standards;" and

(B) in subsection (b)(1)—

(i) in subparagraph (A), by inserting "and" after the semicolon;

(ii) in subparagraph (B), by striking "and" and inserting a period; and

(iii) by striking subparagraph (C).

(7) Section 204(a)(2) of such Act (20 U.S.C. 5824(a)(2)) is amended—

(A) by striking "voluntary national opportunity-to-learn standards,"; and

(B) by striking "described in section 213(f)".

(8) Section 304(a)(2) of such Act (20 U.S.C. 5884(a)(2)) is amended—

(A) in subparagraph (A), by adding "and" after the semicolon;

(B) in subparagraph (B), by striking "and" and inserting a period; and

(C) by striking subparagraph (C).

(9) Section 306(o) of such Act (20 U.S.C. 5886(o)) is amended by striking "State opportunity-to-learn standards or strategies,".

(10) Section 308 of such Act (20 U.S.C. 5888) is amended—

(A) in subsection (b)(2)—

(i) in the matter preceding clause (i) of subparagraph (A), by striking "State opportunity-to-learn standards,"; and

(ii) in subparagraph (A), by striking "including—" and all that follows through "part B of title II;" and inserting "including through consortia of States;" and

(B) in subsection (c), by striking "306(b)(1)" and inserting "306(b)".

(11) For the purpose of expanding the use and availability of computers and computer technology, Section 309(a)(6)(A)(ii) of such Act (20 U.S.C. 5889(a)(6)(A)(ii)) is amended by inserting

after "new public schools" the following: "and the acquisition of technology and use of technology-enhanced curricula and instruction".

(12) Section 312(b) of such Act (20 U.S.C. 5892(b)) is amended—

(A) by striking paragraph (1); and

(B) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

(13) Section 314(a)(6)(A) of such Act (20 U.S.C. 5894(a)(6)(A)) is amended by striking "certified by the National Education Standards and Improvement Council and".

(14) Section 315 of such Act (20 U.S.C. 5895) is amended—

(A) in subsection (b)—

(i) in paragraph (1)(C), by striking "including the requirements for timetables for opportunity-to-learn standards,";

(ii) by striking paragraph (2);

(iii) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively;

(iv) in paragraph (1)(A), by striking "paragraph (4) of this subsection" and inserting "paragraph (3)";

(v) in paragraph (2) (as redesignated by clause (iii))—

(I) by striking subparagraph (A);

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(III) in subparagraph (A) (as redesignated by subclause (II)) by striking "voluntary natural student performance standards, and voluntary natural opportunity-to-learn standards developed under part B of title II of this Act" and inserting "and voluntary national student performance standards";

(vi) in subparagraph (B) of paragraph (3) (as redesignated by clause (iii)), by striking "paragraph (5)," and inserting "paragraph (4)," and

(vii) in paragraph (4) (as redesignated by clause (ii)), by striking "paragraph (4)" each place it appears and inserting "paragraph (3)";

(B) in the matter preceding subparagraph (A) of subsection (c)(2)—

(i) by striking "subsection (b)(4)" and inserting "subsection (b)(3)"; and

(ii) by striking "and to provide a framework for the implementation of opportunity-to-learn standards or strategies"; and

(C) in subsection (f), by striking "subsection (b)(4)" each place it appears and inserting "subsection (b)(3)".

(15)(A) Section 316 of such Act (20 U.S.C. 5896) is repealed.

(B) The table of contents for such Act is amended by striking the item relating to section 316.

(16) Section 317 of such Act (20 U.S.C. 5897) is amended—

(A) in subsection (d)(4), by striking "promote the standards and strategies described in section 306(d)," and

(B) in subsection (e)—

(i) in paragraph (2), by inserting "and" after the semicolon;

(ii) by striking paragraph (3); and

(iii) by redesignating paragraph (4) as paragraph (3).

(17) Section 503 of such Act (20 U.S.C. 5933) is amended—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking "28" and inserting "27";

(II) by striking subparagraph (D); and

(III) by redesignating subparagraphs (E) through (G) as subparagraphs (D) through (F), respectively;

(ii) in paragraphs (2), (3), and (5), by striking "subparagraphs (E), (F), and (G)" each place it appears and inserting "subparagraphs (D), (E), and (F)";

(iii) in paragraph (2), by striking "subparagraph (G)" and inserting "subparagraph (F)";

(iv) in paragraph (4), by striking "(C), and (D)" and inserting "and (C)"; and

(v) in the matter preceding subparagraph (A) of paragraph (5), by striking "subparagraph

(E), (F), or (G)'' and inserting ''subparagraph (D), (E), or (F)''; and

(B) in subsection (e)—

(i) in paragraph (1)(B), by striking ''subparagraph (E)'' and inserting ''subparagraph (D)''; and

(ii) in paragraph (2), by striking ''subparagraphs (E), (F), and (G)'' and inserting ''subparagraphs (D), (E), and (F)''

(18) Section 504 of such Act (20 U.S.C. 5934) is amended—

(A) by striking subsection (f); and

(B) by redesignating subsection (g) as subsection (f).

(b) ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—

(1) Section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311) is amended—

(A) in subsection (b)(8)(B), by striking ''(which may include opportunity-to-learn standards or strategies developed under the Goals 2000: Educate America Act)'';

(B) in subsection (f), by striking ''opportunity-to-learn standards or strategies'';

(C) by striking subsection (g); and

(D) by redesignating subsection (h) as subsection (g).

(2) Section 1116 of such Act (20 U.S.C. 6317) is amended—

(A) in subsection (c)—

(i) in paragraph (2)(A)(i), by striking all beginning with ''which may'' through ''Act''; and

(ii) in paragraph (5)(B)(i)—

(I) in subclause (VI), by inserting ''and'' after the semicolon;

(II) in subclause (VII), by striking ''and'' and inserting a period; and

(III) by striking subclause (VIII); and

(B) in subsection (d)—

(i) in paragraph (4)(B), by striking all beginning with ''and may'' through ''Act''; and

(ii) in paragraph (6)(B)(i)—

(I) by striking subclause (IV); and

(II) by redesignating subclauses (V) through (VIII) as subclauses (IV) through (VII), respectively.

(3) Section 1501(a)(2)(B) of such Act (20 U.S.C. 6491(a)(2)(B)) is amended—

(A) by striking clause (v); and

(B) by redesignating clauses (vi) through (x) as clauses (v) through (ix), respectively.

(4) Section 10101(b)(1)(A)(i) of such Act (20 U.S.C. 8001(b)(1)(A)(i)) is amended by striking ''and opportunity-to-learn standards or strategies for student learning''.

(5) Section 14701(b)(1)(B)(v) of such Act (20 U.S.C. 8941(b)(1)(B)(v)) is amended by striking ''the National Education Goals Panel'' and all that follows through ''assessments'' and inserting ''and the National Education Goals Panel''.

(c) GENERAL EDUCATION PROVISIONS ACT.—Section 428 of the General Education Provisions Act (20 U.S.C. 1228b), as amended by section 237 of the Improving America's Schools Act of 1994 (Public Law 103-382), is amended by striking ''the National Education Standards and Improvement Council''.

(d) EDUCATION AMENDMENTS OF 1978.—Section 1121(b) of the Education Amendments of 1978 (25 U.S.C. 2001(b)), as amended by section 381 of the Improving America's Schools Act of 1994 (Public Law 103-382), is amended by striking ''213(a)'' and inserting ''203(a)(2)''.

#### SEC. 704. DIRECT GRANTS TO LOCAL EDUCATIONAL AGENCIES.

Section 304 of the Goals 2000: Educate America Act (20 U.S.C. 5884) is amended by adding at the end the following new subsection:

This Act may be cited as the ''Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996''.

''(e) DIRECT GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

''(1) IN GENERAL.—Notwithstanding subsection (c), if a State educational agency was not par-

ticipating in the program under this section as of October 20, 1995, and the State educational agency approves, the Secretary shall use all or a portion of the allotment that the State would have received under this section for a fiscal year to award grants to local educational agencies in the State that have approved applications under paragraph (2) for such fiscal year.

''(2) APPLICATION.—Any local educational agency that desires to receive a grant under this subsection shall submit an application to the Secretary that is consistent with the provisions of this Act and shall notify the State educational agency of such application in accordance with paragraph (1). The Secretary may establish a deadline for the submission of such applications.

''(3) AWARD BASIS.—The Secretary may use the student enrollment of a total educational agency or other factors as a basis for awarding grants under this subsection.''

#### SEC. 705. ALTERNATIVE TO SECRETARIAL APPROVAL OF STATE PLANS.

(a) STATE IMPROVEMENT PLANS.—Section 306(n) of the Goals 2000: Educate America Act (20 U.S.C. 5886(n)) is amended by adding at the end the following new paragraph:

''(A) ALTERNATIVE SUBMISSION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this title, any State educational agency that wishes to receive an allotment under this title after the first year such State educational agency receives such an allotment may, in lieu of submitting its State improvement plan for approval by the Secretary under this subsection and section 305(c)(2), or submitting major amendments to the Secretary under subsection (p), provide the Secretary, as part of an application under section 305(c) or as an amendment to a previously approved application—

''(i) an assurance, from the Governor and the chief State school officer of the State, that—

''(I) the State has a plan that meets the requirements of this section and that is widely available throughout the State; and

''(II) any amendments the State makes to the plan will meet the requirements of this section; and

''(ii) the State's benchmarks of improved student performance and of progress in implementing the plan, and the timelines against which the State's progress in carrying out the plan can be measured.

''(B) ANNUAL REPORT.—Any State educational agency that chooses to use the alternative method described in paragraph (1) shall annually report to the public summary information on the use of funds under this title by the State and local educational agencies in the State, as well as the State's progress toward meeting the benchmarks and timelines described in subparagraph (A)(ii).''

(b) STATE APPLICATIONS.—Section 305(c)(2) of such Act (20 U.S.C. 5885(c)(2)) is amended by inserting ''except in the case of a State educational agency submitting the information described in section 306(n)(4),'' before ''include''.

(c) SECRETARY'S REVIEW OF APPLICATIONS.—Section 307(b)(1) of such Act (20 U.S.C. 5887(b)(1)) is amended—

(1) in subparagraph (A), by striking ''or'' after the semicolon;

(2) in subparagraph (B), by striking ''and'' after the semicolon and inserting ''or''; and

(3) by adding at the end the following new subparagraph:

''(C) the State educational agency has submitted the information described in section 306(n)(4); and''

(d) PROGRESS REPORTS.—The matter preceding paragraph (1) of section 312(a) of such Act (20 U.S.C. 5892(a)) is amended by striking ''Each'' and inserting ''Except in the case of a State educational agency submitting the information described in section 306(n)(4), each''.

#### SEC. 706. LIMITATIONS.

Title III of the Goals 2000: Educate America Act (20 U.S.C. 5881 et seq.) is further amended by adding at the end the following new section:

#### SEC. 320. LIMITATIONS.

''(a) PROHIBITED CONDITIONS.—Nothing in this Act shall be construed to require a State, a local educational agency, or a school, as a condition of receiving assistance under this title—

''(1) to provide outcomes-based education; or

''(2) to provide school-based health clinics or any other health or social service.

''(b) LIMITATION ON GOVERNMENT OFFICIALS.—Nothing in this Act shall be construed to require or permit any Federal or State official to inspect a home, judge how parents raise their children, or remove children from their parents, as a result of the participation of a State, local educational agency, or school in any program or activity carried out under this Act.''

(e) For programs, projects or activities in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996, provided as follows, to be effective as if it had been enacted into law as the regular appropriations Act:

AN ACT Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes

#### TITLE I

#### DEPARTMENT OF VETERANS AFFAIRS

#### VETERANS BENEFITS ADMINISTRATION

#### COMPENSATION AND PENSIONS

#### (INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans as authorized by law (38 U.S.C. 107, chapters 11, 13, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540-548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198); \$18,331,561,000, to remain available until expended: Provided, That not to exceed \$25,180,000 of the amount appropriated shall be reimbursed to ''General operating expenses'' and ''Medical care'' for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the ''Compensation and pensions'' appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical facilities revolving fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized by the Veterans' Benefits Act of 1992 (38 U.S.C. chapter 55): Provided further, That \$12,000,000 previously transferred from ''Compensation and pensions'' to ''Medical facilities revolving fund'' shall be transferred to this heading.

#### READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), \$1,345,300,000, to remain available until expended: Provided, That funds shall be available to pay any court order, court award or any compromise settlement arising from litigation involving the vocational training program authorized by section 18 of Public Law 98-77, as amended.

#### VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities,

service-disabled veterans insurance, and veterans mortgage life insurance as authorized by law (38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487), \$24,890,000, to remain available until expended.

GUARANTY AND INDEMNITY PROGRAM ACCOUNT  
(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the purpose of the program, as authorized by 38 U.S.C. chapter 37, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$65,226,000, which may be transferred to and merged with the appropriation for "General operating expenses".

LOAN GUARANTY PROGRAM ACCOUNT  
(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the purpose of the program, as authorized by 38 U.S.C. chapter 37, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$52,138,000, which may be transferred to and merged with the appropriation for "General operating expenses".

DIRECT LOAN PROGRAM ACCOUNT  
(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, such sums as may be necessary to carry out the purpose of the program, as authorized by 38 U.S.C. chapter 37, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That during 1996, within the resources available, not to exceed \$300,000 in gross obligations for direct loans are authorized for specially adapted housing loans (38 U.S.C. chapter 37).

In addition, for administrative expenses to carry out the direct loan program, \$459,000, which may be transferred to and merged with the appropriation for "General operating expenses".

EDUCATION LOAN FUND PROGRAM ACCOUNT  
(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$1,000, as authorized by 38 U.S.C. 3698, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$4,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$195,000, which may be transferred to and merged with the appropriation for "General operating expenses".

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT  
(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$54,000, as authorized by 38 U.S.C. chapter 31, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$1,964,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$377,000, which may be transferred to and merged with the appropriation for "General operating expenses".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT  
(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by 38 U.S.C. chapter 37, subchapter V, as amended, \$205,000, which may be transferred to and merged with the appropriation for "General operating expenses".

VETERANS HEALTH ADMINISTRATION  
MEDICAL CARE

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs, including care and treatment in facilities not under the jurisdiction of the Department of Veterans Affairs, and furnishing recreational facilities, supplies, and equipment; funeral, burial, and other expenses incidental thereto for beneficiaries receiving care in Department of Veterans Affairs facilities; administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department of Veterans Affairs; oversight, engineering and architectural activities not charged to project cost; repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Department of Veterans Affairs, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); aid to State homes as authorized by law (38 U.S.C. 1741); and not to exceed \$8,000,000 to fund cost comparison studies as referred to in 38 U.S.C. 8110(a)(5); \$16,564,000,000, plus reimbursements: Provided, That of the funds made available under this heading, \$789,000,000 is for the equipment and land and structures object classifications only, which amount shall not become available for obligation until August 1, 1996, and shall remain available for obligation until September 30, 1997.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by law (38 U.S.C. chapter 73), to remain available until September 30, 1997, \$257,000,000, plus reimbursements.

MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING EXPENSES

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of planning, design, project management, architectural, engineering, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department of Veterans Affairs, including site acquisition; engineering and architectural activities not charged to project cost; and research and development in building construction technology; \$63,602,000, plus reimbursements.

TRANSITIONAL HOUSING LOAN PROGRAM  
(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$7,000, as authorized by Public Law 102-54, section 8, which shall be transferred from the "General post fund": Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$70,000. In addition, for administrative expenses to carry out the direct loan program, \$54,000, which shall be transferred from the "General post fund", as authorized by Public Law 102-54, section 8.

DEPARTMENTAL ADMINISTRATION  
GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including uniforms or allowances therefor, as authorized by law; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail; \$848,143,000: Provided, That of the amount appropriated and any other funds made available from any other source for activities funded under this heading, except reimbursements, not to exceed \$214,109,000 shall be available for General Administration; including not to exceed (1) \$3,206,000 for personnel compensation and benefits and \$50,000 for travel in the Office of the Secretary, (2) \$75,000 for travel in the Office of the Assistant Secretary for Policy and Planning, (3) \$33,000 for travel in the Office of the Assistant Secretary for Congressional Affairs, and (4) \$100,000 for travel in the Office of Assistant Secretary for Public and Intergovernmental Affairs: Provided further, That during fiscal year 1996, notwithstanding any other provision of law, the number of individuals employed by the Department of Veterans Affairs (1) in other than "career appointee" positions in the Senior Executive Service shall not exceed 6, and (2) in schedule C positions shall not exceed 11: Provided further, That not to exceed \$6,000,000 of the amount appropriated shall be available for administrative expenses to carry out the direct and guaranteed loan programs under the Loan Guaranty Program Account: Provided further, That funds under this heading shall be available to administer the Service Members Occupational Conversion and Training Act: Provided further, That none of the funds under this heading may be obligated or expended for the acquisition of automated data processing equipment and services for Department of Veterans Affairs regional offices to support Stage III of the automated data equipment modernization program of the Veterans Benefits Administration.

NATIONAL CEMETERY SYSTEM

For necessary expenses for the maintenance and operation of the National Cemetery System not otherwise provided for, including uniforms or allowances therefor, as authorized by law; cemetery expenses as authorized by law; purchase of three passenger motor vehicles, for use in cemetery operations; and hire of passenger motor vehicles, \$72,604,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$30,900,000.

CONSTRUCTION, MAJOR PROJECTS  
(INCLUDING TRANSFER OF FUNDS)

For constructing, altering, extending and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is \$3,000,000 or more or where funds for a project were made available in a previous major project appropriation, \$136,155,000, to remain available until expended: Provided, That except for advance planning of projects funded through the advance planning fund and the design of projects funded through the design fund, none of these funds shall be used for any project which has not been considered and approved by

the Congress in the budgetary process: Provided further, That funds provided in this appropriation for fiscal year 1996, for each approved project shall be obligated (1) by the awarding of a construction documents contract by September 30, 1996, and (2) by the awarding of a construction contract by September 30, 1997: Provided further, That the Secretary shall promptly report in writing to the Comptroller General and to the Committees on Appropriations any approved major construction project in which obligations are not incurred within the time limitations established above; and the Comptroller General shall review the report in accordance with the procedures established by section 1015 of the Impoundment Control Act of 1974 (title X of Public Law 93-344): Provided further, That no funds from any other account except the "Parking revolving fund", may be obligated for constructing, altering, extending, or improving a project which was approved in the budget process and funded in this account until one year after substantial completion and beneficial occupancy by the Department of Veterans Affairs of the project or any part thereof with respect to that part only: Provided further, That of the funds made available under this heading in Public Law 103-327, \$7,000,000 shall be transferred to the "Parking revolving fund".

#### CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, where the estimated cost of a project is less than \$3,000,000, \$190,000,000, to remain available until expended, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is less than \$3,000,000: Provided, That funds in this account shall be available for (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department of Veterans Affairs which are necessary because of loss or damage caused by any natural disaster or catastrophe, and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

#### PARKING REVOLVING FUND

For the parking revolving fund as authorized by law (38 U.S.C. 8109), income from fees collected, to remain available until expended. Resources of this fund shall be available for all expenses authorized by 38 U.S.C. 8109 except operations and maintenance costs which will be funded from "Medical care".

#### GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist the several States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by law (38 U.S.C. 8131-8137), \$47,397,000, to remain available until expended.

#### GRANTS FOR THE CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veteran cemeteries as authorized by law (38 U.S.C. 2408), \$1,000,000, to remain available until September 30, 1998.

#### ADMINISTRATIVE PROVISIONS

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 101. Any appropriation for 1996 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indem-

nities" may be transferred to any other of the mentioned appropriations.

SEC. 102. Appropriations available to the Department of Veterans Affairs for 1996 for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 103. No part of the appropriations in this Act for the Department of Veterans Affairs (except the appropriations for "Construction, major projects", "Construction, minor projects", and the "Parking revolving fund") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 104. No part of the foregoing appropriations shall be available for hospitalization or examination of any persons except beneficiaries entitled under the laws bestowing such benefits to veterans, unless reimbursement of cost is made to the appropriation at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 105. Appropriations available to the Department of Veterans Affairs for fiscal year 1996 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 1995.

SEC. 106. Appropriations accounts available to the Department of Veterans Affairs for fiscal year 1996 shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from title X of the Competitive Equality Banking Act, Public Law 100-86, except that if such obligations are from trust fund accounts they shall be payable from "Compensation and pensions".

SEC. 107. Notwithstanding any other provision of law, the Secretary of Veterans Affairs is authorized to transfer, without compensation or reimbursement, the jurisdiction and control of a parcel of land consisting of approximately 6.3 acres, located on the south edge of the Department of Veterans Affairs Medical and Regional Office Center, Wichita, Kansas, including buildings Nos. 8 and 30 and other improvements thereon, to the Secretary of Transportation for the purpose of expanding and modernizing United States Highway 54: Provided, That if necessary, the exact acreage and legal description of the real property transferred shall be determined by a survey satisfactory to the Secretary of Veterans Affairs and the Secretary of Transportation shall bear the cost of such survey: Provided further, That the Secretary of Transportation shall be responsible for all costs associated with the transferred land and improvements thereon, and compliance with all existing statutes and regulations: Provided further, That the Secretary of Veterans Affairs and the Secretary of Transportation may require such additional terms and conditions as each Secretary considers appropriate to effectuate this transfer of land.

SEC. 108. CONSTRUCTION AUTHORIZATION.—Authorization of major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal year 1996.

(a) AUTHORIZATION OF MAJOR MEDICAL FACILITY PROJECTS.—The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in the amount authorized for that project:

(1) Construction of an outpatient clinic in Brevard County, Florida, in the amount of \$25,000,000.

(2) Construction of an outpatient clinic at Travis Air Force Base in Fairfield, California, in the amount of \$25,000,000.

(3) Construction of an ambulatory care addition at the Department of Veterans Affairs medical center in Boston, Massachusetts in the amount of \$28,000,000.

(4) Construction of a medical research addition at the Department of Veterans Affairs med-

ical center in Portland, Oregon, an additional authorization in the amount of \$16,000,000, for a total amount of \$32,100,000.

(b) AUTHORIZATION OF MAJOR MEDICAL FACILITY LEASES.—The Secretary of Veterans Affairs may enter into leases for medical facilities as follows:

(1) Lease of a satellite outpatient clinic in Fort Myers, Florida, in the amount of \$1,736,000.

(2) Lease of a National Footwear Center in New York, New York, in the amount of \$1,054,000.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 1996—

(1) \$94,000,000 for the major medical facility projects authorized in subsection (a); and

(2) \$2,790,000 for the major medical facility leases authorized in subsection (b).

(d) LIMITATION.—The projects authorized in subsection (a) may only be carried out using—

(1) funds appropriated for fiscal year 1996 and subsequent fiscal year pursuant to the authorization of appropriations in subsection (c).

(2) funds appropriated for Construction, Major Projects for a fiscal year before fiscal year 1996 that remain available for obligation; and

(3) funds appropriated for Construction, Major Projects for fiscal year 1996 for a category of activity not specific to a project.

(e) LIMITATION CONCERNING OUTPATIENT CLINIC PROJECTS.—In the case of either of the projects for a new outpatient clinic authorized in paragraphs (1) and (2) of subsection (a)—

(1) the Secretary of Veterans Affairs may not obligate any funds for that project until the Secretary determines, and certifies to the Committees on Veterans' Affairs of the Senate and House of Representatives, the amount required for the project; and

(2) the amount obligated for the project may not exceed the amount certified under paragraph (1) with respect to that project.

SEC. 109. (a) DESIGNATION.—The Walla Walla Veterans Medical Center located at 77 Wainwright Drive, Walla Walla, Washington, shall be known and designated as the "Jonathan M. Wainwright Memorial VA Medical Center".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Walla Walla Veterans Medical Center referred to in subsection (a) shall be deemed to be a reference to the "Jonathan M. Wainwright Memorial VA Medical Center".

#### TITLE II

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

##### HOUSING PROGRAMS

##### ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

For assistance under the United States Housing Act of 1937, as amended ("the Act" herein) (42 U.S.C. 1437), not otherwise provided for, \$9,818,795,000, to remain available until expended: Provided, That of the total amount provided under this head, \$160,000,000 shall be for the development or acquisition cost of public housing for Indian families, including amounts for housing under the mutual help homeowner-ship opportunity program under section 202 of the Act (42 U.S.C. 1437bb): Provided further, That of the total amount provided under this head, \$2,500,000,000 shall be for modernization of existing public housing projects pursuant to section 14 of the Act (42 U.S.C. 1437l), including up to \$20,000,000 for the inspection of public housing units, contract expertise, and training and technical assistance, directly or indirectly, under grants, contracts, or cooperative agreements, to assist in the oversight and management of public and Indian housing (whether or not the housing is being modernized with assistance under this proviso) or tenant-based assistance, including, but not limited to, an annual

resident survey, data collection and analysis, training and technical assistance by or to officials and employees of the Department and of public housing agencies and to residents in connection with the public and Indian housing program, or for carrying out activities under section 6(j) of the Act: Provided further, That of the total amount provided under this head, \$400,000,000 shall be for rental subsidy contracts under the section 8 existing housing certificate program and the housing voucher program under section 8 of the Act, except that such amounts shall be used only for units necessary to provide housing assistance for residents to be relocated from existing federally subsidized or assisted housing, for replacement housing for units demolished or disposed of (including units to be disposed of pursuant to a homeownership program under section 5(h) or title III of the United States Housing Act of 1937) from the public housing inventory, for funds related to litigation settlements, for the conversion of section 23 projects to assistance under section 8, for public housing agencies to implement allocation plans approved by the Secretary for designated housing, for funds to carry out the family unification program, and for the relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency: Provided further, That of the total amount provided under this head, \$4,007,862,000 shall be for assistance under the United States Housing Act of 1937 (42 U.S.C. 1437) for use in connection with expiring or terminating section 8 subsidy contracts, such amounts shall be merged with all remaining obligated and unobligated balances heretofore appropriated under the heading "Renewal of expiring section 8 subsidy contracts": Provided further, That notwithstanding any other provision of law, assistance reserved under the two preceding provisos may be used in connection with any provision of Federal law enacted in this Act or after the enactment of this Act that authorizes the use of rental assistance amounts in connection with such terminated or expired contracts: Provided further, That the Secretary may determine not to apply section 8(o)(6)(B) of the Act to housing vouchers during fiscal year 1996: Provided further, That of the total amount provided under this head, \$810,575,000 shall be for amendments to section 8 contracts other than contracts for projects developed under section 202 of the Housing Act of 1959, as amended; and \$192,000,000 shall be for section 8 assistance and rehabilitation grants for property disposition: Provided further, That 50 per centum of the amounts of budget authority, or in lieu thereof 50 per centum of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (Public Law 100-628, 102 Stat. 3224, 3268) shall be rescinded, or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section: Provided further, That of the total amount provided under this head, \$171,000,000 shall be for housing opportunities for persons with AIDS under title VIII, subtitle D of the Cranston-Gonzalez National Affordable Housing Act; and \$65,000,000 shall be for the lead-based paint hazard reduction program as authorized under sections 1011 and 1053 of the Residential Lead-Based Hazard Reduction Act of 1992: Provided further, That the Secretary may make up to \$5,000,000 of any amount recaptured in this account available for the development of performance and financial systems.

Of the total amount provided under this head, \$624,000,000, plus amounts recaptured from interest reduction payment contracts for section 236 projects whose owners prepay their mortgages during fiscal year 1996 (which amounts shall be transferred and merged with this account), shall be for use in conjunction with properties that are eligible for assistance under the Low Income Housing Preservation and Resident Homeownership Act of 1990 (LIHPHA) or the Emergency Low-Income Housing Preservation Act of 1987 (ELIHPA): Provided, That prior to August 15, 1996, funding to carry out plans of action shall be limited to sales of projects to non-profit organizations, tenant-sponsored organizations, and other priority purchasers: Provided further, That of the amount made available by this paragraph, up to \$10,000,000 shall be available for preservation technical assistance grants pursuant to section 253 of the Housing and Community Development Act of 1987, as amended: Provided further, That with respect to amounts made available by this paragraph, after August 15, 1996, if the Secretary determines that the demand for funding may exceed amounts available for such funding, the Secretary (1) may determine priorities for distributing available funds, including giving priority funding to tenants displaced due to mortgage prepayment and to projects that have not yet been funded but which have approved plans of action; and (2) may impose a temporary moratorium on applications by potential recipients of such funding: Provided further, That an owner of eligible low-income housing may prepay the mortgage or request voluntary termination of a mortgage insurance contract, so long as said owner agrees not to raise rents for sixty days after such prepayment: Provided further, That an owner of eligible low-income housing who has not timely filed a second notice under section 216(d) prior to the effective date of this Act may file such notice by April 15, 1996: Provided further, That such developments have been determined to have preservation equity at least equal to the lesser of \$5,000 per unit or \$500,000 per project or the equivalent of eight times the most recently published fair market rent for the area in which the project is located as the appropriate unit size for all of the units in the eligible project: Provided further, That the Secretary may modify the regulatory agreement to permit owners and priority purchasers to retain rental income in excess of the basic rental charge in projects assisted under section 236 of the National Housing Act, for the purpose of preserving the low and moderate income character of the housing: Provided further, That the Secretary may give priority to funding and processing the following projects provided that the funding is obligated not later than September 15, 1996: (1) projects with approved plans of action to retain the housing that file a modified plan of action no later than August 15, 1996 to transfer the housing; (2) projects with approved plans of action that are subject to a repayment or settlement agreement that was executed between the owner and the Secretary prior to September 1, 1995; (3) projects for which submissions were delayed as a result of their location in areas that were designated as a Federal disaster area in a Presidential Disaster Declaration; and (4) projects whose processing was, in fact, or in practical effect, suspended, deferred, or interrupted for a period of nine months or more because of differing interpretations, by the Secretary and an owner concerning the time of the ability of an uninsured section 236 property to prepay or by the Secretary and a State or local rent regulatory agency, concerning the effect of a presumptively applicable State or local rent control law or regulation on the determination of preservation value under section 213 of LIHPHA, as amended, if the owner of such project filed notice of intent to extend the low-income affordability restrictions of the housing, or transfer to a qualified purchaser who would extend such restrictions, on or before November

1, 1993: Provided further, That eligible low-income housing shall include properties meeting the requirements of this paragraph with mortgages that are held by a State agency as a result of a sale by the Secretary without insurance, which immediately before the sale would have been eligible low-income housing under LIHPHA: Provided further, That notwithstanding any other provision of law, subject to the availability of appropriated funds, each unassisted low-income family residing in the housing on the date of prepayment or voluntary termination, and whose rent, as a result of a rent increase occurring no later than one year after the date of the prepayment, exceeds 30 percent of adjusted income, shall be offered tenant-based assistance in accordance with section 8 or any successor program, under which the family shall pay no less for rent than it paid on such date: Provided further, That any family receiving tenant-based assistance under the preceding proviso may elect (1) to remain in the unit of the housing and if the rent exceeds the fair market rent or payment standard, as applicable, the rent shall be deemed to be the applicable standard, so long as the administering public housing agency finds that the rent is reasonable in comparison with rents charged for comparable unassisted housing units in the market or (2) to move from the housing and the rent will be subject to the fair market rent of the payment standard, as applicable, under existing program rules and procedures: Provided further, That rents and rent increases for tenants of projects for which plans of action are funded under section 220(d)(3)(B) of LIHPHA shall be governed in accordance with the requirements of the program under which the first mortgage is insured or made (sections 236 or 221(d)(3) BMIR, as appropriate): Provided further, That the immediately foregoing proviso shall apply hereafter to projects for which plans of action are to be funded under such section 220(d)(3)(B), and shall apply to any project that has been funded under such section starting one year after the date that such project was funded: Provided further, That up to \$10,000,000 of the amount made available by this paragraph may be used at the discretion of the Secretary to reimburse owners of eligible properties for which plans of action were submitted prior to the effective date of this Act, but were not executed for lack of available funds, with such reimbursement available only for documented costs directly applicable to the preparation of the plan of action as determined by the Secretary, and shall be made available on terms and conditions to be established by the Secretary: Provided further, That, notwithstanding any other provision of law, effective October 1, 1996, the Secretary shall suspend further processing of preservation applications which do not have approved plans of action.

Of the total amount provided under this head, \$780,190,000 shall be for capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance, and amendments to contracts for project rental assistance, for supportive housing for the elderly under section 202(c)(2) of the Housing Act of 1959; and \$233,168,000 shall be for capital advances, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act; and for project rental assistance, and amendments to contracts for project rental assistance, for supportive housing for persons with disabilities as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act: Provided, That the Secretary may designate up to 25 percent of the amounts earmarked under this paragraph for section 811 of the Cranston-Gonzalez National Affordable Housing Act for tenant-based assistance, as authorized under that section, which



assistance is five-years in duration: Provided further, That the Secretary may waive any provision of section 202 of the Housing Act of 1959 and section 811 of the National Affordable Housing Act (including the provisions governing the terms and conditions of project rental assistance) that the Secretary determines is not necessary to achieve the objectives of these programs, or that otherwise impedes the ability to develop, operate or administer projects assisted under these programs, and may make provision for alternative conditions or terms where appropriate.

Of the total amount provided under this heading, and in addition to funds otherwise earmarked in the previous paragraph, for section 202 of the Housing Act of 1959 and section 811 of the Cranston-Gonzalez National Affordable Housing Act, \$75,000,000: Provided, That \$50,000,000 of such sum shall be available for purposes authorized by section 202 of the Housing Act of 1959, and \$25,000,000 shall be available for purposes authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act: Provided further, That such additional sums shall be available only to provide for rental subsidy terms of a longer duration than would otherwise be permitted by this Act. PUBLIC HOUSING DEMOLITION, SITE REVITALIZATION, AND REPLACEMENT HOUSING GRANTS

For grants to public housing agencies for the purposes of enabling the demolition of obsolete public housing projects or portions thereof, the revitalization (where appropriate) of sites (including remaining public housing units) on which such projects are located, replacement housing which will avoid or lessen concentrations of very low-income families, and tenant-based assistance in accordance with section 8 of the United States Housing Act of 1937 for the purpose of providing replacement housing and assisting tenants to be displaced by the demolition, \$480,000,000, to remain available until expended: Provided, That the Secretary of Housing and Urban Development shall award such funds to public housing agencies based upon, among other relevant criteria, the local and national impact of the proposed demolition and revitalization activities and the extent to which the public housing agency could undertake such activities without the additional assistance to be provided hereunder: Provided further, That eligible expenditures hereunder shall be those expenditures eligible under section 8 and section 14 of the United States Housing Act of 1937 (42 U.S.C. 1437f and 1): Provided further, That the Secretary may impose such conditions and requirements as the Secretary deems appropriate to effectuate the purposes of this paragraph: Provided further, That the Secretary may require an agency selected to receive funding to make arrangements satisfactory to the Secretary for use of an entity other than the agency to carry out this program where the Secretary determines that such action will help to effectuate the purpose of this paragraph: Provided further, That in the event an agency selected to receive funding does not proceed expeditiously as determined by the Secretary, the Secretary shall withdraw any funding made available pursuant to this paragraph that has not been obligated by the agency and distribute such funds to one or more other eligible agencies, or to other entities capable of proceeding expeditiously in the same locality with the original program: Provided further, That of the foregoing \$480,000,000, the Secretary may use up to .67 per centum for technical assistance, to be provided directly or indirectly by grants, contracts or cooperative agreements, including training and cost of necessary travel for participants in such training, by or to officials and employees of the Department and of public housing agencies and to residents: Provided further, That any replacement housing provided with assistance under this head shall be subject to section 18(f) of the United States Housing Act of 1937, as amended by section 201(b)(2) of this Act.

#### FLEXIBLE SUBSIDY FUND

##### (INCLUDING TRANSFER OF FUNDS)

From the fund established by section 236(g) of the National Housing Act, as amended, all uncommitted balances of excess rental charges as of September 30, 1995, and any collections during fiscal year 1996 shall be transferred, as authorized under such section, to the fund authorized under section 201(j) of the Housing and Community Development Amendments of 1978, as amended.

#### RENTAL HOUSING ASSISTANCE (RESCISSION)

The limitation otherwise applicable to the maximum payments that may be required in any fiscal year by all contracts entered into under section 236 of the National Housing Act (12 U.S.C. 1715z-1) is reduced in fiscal year 1996 by not more than \$2,000,000 in uncommitted balances of authorizations provided for this purpose in appropriations Acts: Provided, That up to \$163,000,000 of recaptured section 236 budget authority resulting from the prepayment of mortgages subsidized under section 236 of the National Housing Act (12 U.S.C. 1715z-1) shall be rescinded in fiscal year 1996.

#### PAYMENTS FOR OPERATION OF LOW-INCOME HOUSING PROJECTS

For payments to public housing agencies and Indian housing authorities for operating subsidies for low-income housing projects as authorized by section 9 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g), \$2,800,000,000.

#### DRUG ELIMINATION GRANTS FOR LOW-INCOME HOUSING

For grants to public and Indian housing agencies for use in eliminating crime in public housing projects authorized by 42 U.S.C. 11901-11908, for grants for federally assisted low-income housing authorized by 42 U.S.C. 11909, and for drug information clearinghouse services authorized by 42 U.S.C. 11921-11925, \$290,000,000, to remain available until expended, of which \$10,000,000 shall be for grants, technical assistance, contracts and other assistance training, program assessment, and execution for or on behalf of public housing agencies and resident organizations (including the cost of necessary travel for participants in such training) and of which \$2,500,000 shall be used in connection with efforts to combat violent crime in public and assisted housing under the Operation Safe Home program administered by the Inspector General of the Department of Housing and Urban Development: Provided, That the term "drug-related crime", as defined in 42 U.S.C. 11905(2), shall also include other types of crime as determined by the Secretary: Provided further, That notwithstanding section 5130(c) of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11909(c)), the Secretary may determine not to use any such funds to provide public housing youth sports grants.

#### HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), as amended, \$1,400,000,000, to remain available until expended.

#### INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, \$3,000,000, as authorized by section 184 of the Housing and Community Development Act of 1992 (106 Stat. 3739): Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$36,900,000.

#### HOMELESS ASSISTANCE

##### HOMELESS ASSISTANCE GRANTS

For the emergency shelter grants program (as authorized under subtitle B of title IV of the

Stewart B. McKinney Homeless Assistance Act (Public Law 100-77), as amended); the supportive housing program (as authorized under subtitle C of title IV of such Act); the section 8 moderate rehabilitation single room occupancy program (as authorized under the United States Housing Act of 1937, as amended) to assist homeless individuals pursuant to section 441 of the Stewart B. McKinney Homeless Assistance Act; and the shelter plus care program (as authorized under subtitle F of title IV of such Act), \$823,000,000, to remain available until expended.

#### COMMUNITY PLANNING AND DEVELOPMENT

##### COMMUNITY DEVELOPMENT GRANTS

##### (INCLUDING TRANSFER OF FUNDS)

For grants to States and units of general local government and for related expenses, not otherwise provided for, necessary for carrying out a community development grants program as authorized by title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301), \$4,600,000,000, to remain available until September 30, 1998: Provided, That \$50,000,000 shall be available for grants to Indian tribes pursuant to section 106(a)(1) of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301), \$2,000,000 shall be available as a grant to the Housing Assistance Council, \$1,000,000 shall be available as a grant to the National American Indian Housing Council, and \$27,000,000 shall be available for "special purpose grants" pursuant to section 107 of such Act: Provided further, That not to exceed 20 per centum of any grant made with funds appropriated herein (other than a grant made available under the preceding proviso to the Housing Assistance Council or the National American Indian Housing Council, or a grant using funds under section 107(b)(3) of the Housing and Community Development Act of 1974) shall be expended for "Planning and Management Development" and "Administration" as defined in regulations promulgated by the Department of Housing and Urban Development: Provided further, That section 105(a)(25) of such Act, as added by section 907(b)(1) of the Cranston-Gonzalez National Affordable Housing Act, shall continue to be effective after September 30, 1995, notwithstanding section 907(b)(2) of such Act: Provided further, That section 916 of the Cranston-Gonzalez National Affordable Housing Act shall apply with respect to fiscal year 1996, notwithstanding section 916(f) of that Act.

Of the amount provided under this heading, the Secretary of Housing and Urban Development may use up to \$53,000,000 for grants to public housing agencies (including Indian housing authorities), nonprofit corporations, and other appropriate entities for a supportive services program to assist residents of public and assisted housing, former residents of such housing receiving tenant-based assistance under section 8 of such Act (42 U.S.C. 1437f), and other low-income families and individuals to become self-sufficient: Provided, That the program shall provide supportive services, principally for the benefit of public housing residents, to the elderly and the disabled, and to families with children where the head of the household would benefit from the receipt of supportive services and is working, seeking work, or is preparing for work by participating in job training or educational programs: Provided further, That the supportive services shall include congregate services for the elderly and disabled, service coordinators, and coordinated educational, training, and other supportive services, including academic skills training, job search assistance, assistance related to retaining employment, vocational and entrepreneurship development and support programs, transportation, and child care: Provided further, That the Secretary shall require applicants to demonstrate firm commitments of funding or services from other sources: Provided further, That the Secretary shall select public and Indian housing agencies to receive

assistance under this head on a competitive basis, taking into account the quality of the proposed program (including any innovative approaches), the extent of the proposed coordination of supportive services, the extent of commitments of funding or services from other sources, the extent to which the proposed program includes reasonably achievable, quantifiable goals for measuring performance under the program over a three-year period, the extent of success an agency has had in carrying out other comparable initiatives, and other appropriate criteria established by the Secretary.

Of the amount made available under this heading, notwithstanding any other provision of law, \$12,000,000 shall be available for contracts, grants, and other assistance, other than loans, not otherwise provided for, for providing counseling and advice to tenants and homeowners both current and prospective, with respect to property maintenance, financial management, and such other matters as may be appropriate to assist them in improving their housing conditions and meeting the responsibilities of tenancy or homeownership, including provisions for training and for support of voluntary agencies and services as authorized by section 106 of the Housing and Urban Development Act of 1968, as amended, notwithstanding section 106(c)(9) and section 106(d)(13) of such Act.

Of the amount made available under this heading, notwithstanding any other provision of law, \$15,000,000 shall be available for the tenant opportunity program.

Of the amount made available under this heading, notwithstanding any other provision of law, \$20,000,000 shall be available for youthbuild program activities authorized by subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act, as amended, and such activities shall be an eligible activity with respect to any funds made available under this heading.

Of the amount made available under this heading, notwithstanding any other provision of law, \$50,000,000 shall be available for Economic Development Initiative grants as authorized by section 232 of the Multifamily Housing Property Disposition Reform Act of 1994, Public Law 103-233, on a competitive basis as required by section 102 of the HUD Reform Act.

For the cost of guaranteed loans, \$31,750,000, as authorized by section 108 of the Housing and Community Development Act of 1974: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$1,500,000,000: Provided further, That the Secretary of Housing and Urban Development may make guarantees not to exceed the immediately foregoing amount notwithstanding the aggregate limitation on guarantees set forth in section 108(k) of the Housing and Community Development Act of 1974. In addition, for administrative expenses to carry out the guaranteed loan program, \$675,000 which shall be transferred to and merged with the appropriation for departmental salaries and expenses.

The amount made available for fiscal year 1995 for a special purpose grant for the renovation of the central terminal in Buffalo, New York, shall be made available for the central terminal and for other public facilities in Buffalo, New York.

#### POLICY DEVELOPMENT AND RESEARCH

##### RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z-1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan

No. 2 of 1968, \$34,000,000, to remain available until September 30, 1997.

#### FAIR HOUSING AND EQUAL OPPORTUNITY

##### FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and for contracts with qualified fair housing enforcement organizations, as authorized by section 561 of the Housing and Community Development Act of 1987, as amended by the Housing and Community Development Act of 1992, \$30,000,000, to remain available until September 30, 1997.

#### MANAGEMENT AND ADMINISTRATION

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary administrative and nonadministrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including not to exceed \$7,000 for official reception and representation expenses, \$962,558,000, of which \$532,782,000 shall be provided from the various funds of the Federal Housing Administration, and \$9,101,000 shall be provided from funds of the Government National Mortgage Association, and \$675,000 shall be provided from the Community Development Grants Program account.

#### OFFICE OF INSPECTOR GENERAL

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$47,850,000, of which \$11,283,000 shall be transferred from the various funds of the Federal Housing Administration.

#### OFFICE OF FEDERAL HOUSING ENTERPRISE

##### OVERSIGHT

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprise Financial Safety and Soundness Act of 1992, \$14,895,000, to remain available until expended, from the Federal Housing Enterprise Oversight Fund: Provided, That such amounts shall be collected by the Director as authorized by section 1316 (a) and (b) of such Act, and deposited in the Fund under section 1316(f) of such Act.

#### FEDERAL HOUSING ADMINISTRATION

##### FHA—MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

##### (INCLUDING TRANSFERS OF FUNDS)

During fiscal year 1996, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of \$110,000,000,000: Provided, That during fiscal year 1996, the Secretary shall sell assigned mortgage notes having an unpaid principal balance of up to \$4,000,000,000, which notes were originally insured under section 203(b) of the National Housing Act: Provided further, That the Secretary may use any negative subsidy amounts from the sale of such assigned mortgage notes during fiscal year 1996 for the disposition of properties or notes under this heading.

During fiscal year 1996, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed \$200,000,000: Provided, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under section 203 of such Act.

For administrative expenses necessary to carry out the guaranteed and direct loan program, \$341,595,000, to be derived from the FHA-mutual mortgage insurance guaranteed loans receipt account, of which not to exceed

\$334,483,000 shall be transferred to the appropriation for departmental salaries and expenses; and of which not to exceed \$7,112,000 shall be transferred to the appropriation for the Office of Inspector General.

#### FHA—GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

##### (INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), including the cost of modifying such loans, \$85,000,000, to remain available until expended: Provided, That such costs shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal any part of which is to be guaranteed of not to exceed \$17,400,000,000: Provided further, That during fiscal year 1996, the Secretary shall sell assigned notes having an unpaid principal balance of up to \$4,000,000,000, which notes were originally obligations of the funds established under sections 238 and 519 of the National Housing Act: Provided further, That the Secretary may use any negative subsidy amounts, to remain available until expended, from the sale of such assigned mortgage notes, in addition to amounts otherwise provided, for the disposition of properties or notes under this heading (including the credit subsidy for the guarantee of loans or the reduction of positive credit subsidy amounts that would otherwise be required for the sale of such properties or notes), and for any other purpose under this heading: Provided further, That any amounts made available in any prior appropriation Act for the cost (as such term is defined in section 502 of the Congressional Budget Act of 1974) of guaranteed loans that are obligations of the funds established under section 238 or 519 of the National Housing Act that have not been obligated or that are deobligated shall be available to the Secretary of Housing and Urban Development in connection with the making of such guarantees and shall remain available until expended, notwithstanding the expiration of any period of availability otherwise applicable to such amounts.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238(a), and 519(a) of the National Housing Act, shall not exceed \$120,000,000; of which not to exceed \$100,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed \$20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, \$202,470,000, of which \$198,299,000 shall be transferred to the appropriation for departmental salaries and expenses; and of which \$4,171,000 shall be transferred to the appropriation for the Office of Inspector General.

#### GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

##### GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

##### (INCLUDES TRANSFER OF FUNDS)

During fiscal year 1996, new commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed \$110,000,000,000.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, \$9,101,000, to be derived from the GNMA—guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed \$9,101,000 shall be transferred to the appropriation for departmental salaries and expenses.

ADMINISTRATIVE PROVISIONS  
(INCLUDING TRANSFER OF FUNDS)

EXTEND ADMINISTRATIVE PROVISIONS FROM THE  
RESCISSION ACT

SEC. 201. (a) PUBLIC AND INDIAN HOUSING  
MODERNIZATION.—

(1) EXPANSION OF USE OF MODERNIZATION FUNDING.—Subsection 14(q) of the United States Housing Act of 1937 is amended to read as follows:

“(q)(1) In addition to the purposes enumerated in subsections (a) and (b), a public housing agency may use modernization assistance provided under section 14, and development assistance provided under section 5(a) that was not allocated, as determined by the Secretary, for priority replacement housing, for any eligible activity authorized by this section, by section 5, or by applicable Appropriations Acts for a public housing agency, including the demolition, rehabilitation, revitalization, and replacement of existing units and projects and, for up to 10 percent of its allocation of such funds in any fiscal year, for any operating subsidy purpose authorized in section 9. Except for assistance used for operating subsidy purposes under the preceding sentence, assistance provided to a public housing agency under this section shall principally be used for the physical improvement, replacement of public housing, other capital purposes, and for associated management improvements, and such other extraordinary purposes as may be approved by the Secretary. Low-income and very low-income units assisted under this paragraph shall be eligible for operating subsidies, unless the Secretary determines that such units or projects do not meet other requirements of this Act.

“(2) A public housing agency may provide assistance to developments that include units other than units assisted under this Act (except for units assisted under section 8 hereof) (‘mixed income developments’), in the form of a grant, loan, operating assistance, or other form of investment which may be made to—

“(A) a partnership, a limited liability company, or other legal entity in which the public housing agency or its affiliate is a general partner, managing member, or otherwise participates in the activities of such entity; or

“(B) any entity which grants to the public housing agency the option to purchase the development within 20 years after initial occupancy in accordance with section 42(i)(7) of the Internal Revenue Code of 1986, as amended.

“Units shall be made available in such developments for periods of not less than 20 years, by master contract or by individual lease, for occupancy by low-income and very low-income families referred from time to time by the public housing agency. The number of such units shall be:

“(i) in the same proportion to the total number of units in such development that the total financial commitment provided by the public housing agency bears to the value of the total financial commitment in the development, or

“(ii) not be less than the number of units that could have been developed under the conventional public housing program with the assistance involved, or

“(iii) as may otherwise be approved by the Secretary.

“(3) A mixed income development may elect to have all units subject only to the applicable local real estate taxes, notwithstanding that the low-income units assisted by public housing funds would otherwise be subject to section 6(d) of the Housing Act of 1937.

“(4) If an entity that owns or operates a mixed-income project under this subsection enters into a contract with a public housing agency, the terms of which obligate the entity to operate and maintain a specified number of units in the project as public housing units in accordance with the requirements of this Act for the period required by law, such contractual terms

may provide that, if, as a result of a reduction in appropriations under section 9, or any other change in applicable law, the public housing agency is unable to fulfill its contractual obligations with respect to those public housing units, that entity may deviate, under procedures and requirements developed through regulations by the Secretary, from otherwise applicable restrictions under this Act regarding rents, income eligibility, and other areas of public housing management with respect to a portion or all of those public housing units, to the extent necessary to preserve the viability of those units while maintaining the low-income character of the units, to the maximum extent practicable.”

(2) APPLICABILITY.—Section 14(q) of the United States Housing Act of 1937, as amended by subsection (a) of this section, shall be effective only with respect to assistance provided from funds made available for fiscal year 1996 or any preceding fiscal year.

(3) APPLICABILITY TO IHAS.—In accordance with section 201(b)(2) of the United States Housing Act of 1937, the amendment made by this subsection shall apply to public housing developed or operated pursuant to a contract between the Secretary of Housing and Urban Development and an Indian housing authority.

(b) ONE-FOR-ONE REPLACEMENT OF PUBLIC AND INDIAN HOUSING.—

(1) EXTENDED AUTHORITY.—Section 1002(d) of Public Law 104-19 is amended to read as follows:

“(d) Subsections (a), (b), and (c) shall be effective for applications for the demolition, disposition, or conversion to homeownership of public housing approved by the Secretary, and other consolidation and relocation activities of public housing agencies undertaken, on, before, or after September 30, 1995 and before September 30, 1996.”

(2) Section 18(f) of the United States Housing Act of 1937 is amended by adding at the end the following new sentence:

“No one may rely on the preceding sentence as the basis for reconsidering a final order of a court issued, or a settlement approved, by a court.”

(3) APPLICABILITY.—In accordance with section 201(b)(2) of the United States Housing Act of 1937, the amendments made by this subsection and by sections 1002 (a), (b), and (c) of Public Law 104-19 shall apply to public housing developed or operated pursuant to a contract between the Secretary of Housing and Urban Development and an Indian housing authority.

CONVERSION OF CERTAIN PUBLIC HOUSING TO  
VOUCHERS

SEC. 202. (a) IDENTIFICATION OF UNITS.—Each public housing agency shall identify any public housing developments—

(1) that are on the same or contiguous sites;

(2) that total more than 300 dwelling units;

(3) that have a vacancy rate of at least 10 percent for dwelling units not in funded, on-schedule modernization programs;

(4) identified as distressed housing that the public housing agency cannot assure the long-term viability as public housing through reasonable revitalization, density reduction, or achievement of a broader range of household income; and

(5) for which the estimated cost of continued operation and modernization of the developments as public housing exceeds the cost of providing tenant-based assistance under section 8 of the United States Housing Act of 1937 for all families in occupancy, based on appropriate indicators of cost (such as the percentage of total development cost required for modernization).

(b) IMPLEMENTATION AND ENFORCEMENT.—

(1) STANDARDS FOR IMPLEMENTATION.—The Secretary shall establish standards to permit implementation of this section in fiscal year 1996.

(2) CONSULTATION.—Each public housing agency shall consult with the applicable public housing tenants and the unit of general local

government in identifying any public housing developments under subsection (a).

(3) FAILURE OF PHAS TO COMPLY WITH SUBSECTION (a).—Where the Secretary determines that—

(A) a public housing agency has failed under subsection (a) to identify public housing developments for removal from the inventory of the agency in a timely manner;

(B) a public housing agency has failed to identify one or more public housing developments which the Secretary determines should have been identified under subsection (a); or

(C) one or more of the developments identified by the public housing agency pursuant to subsection (a) should not, in the determination of the Secretary, have been identified under that subsection;

the Secretary may designate the developments to be removed from the inventory of the public housing agency pursuant to this section.

(c) REMOVAL OF UNITS FROM THE INVENTORIES OF PUBLIC HOUSING AGENCIES.—

(1) Each public housing agency shall develop and carry out a plan in conjunction with the Secretary for the removal of public housing units identified under subsection (a) or subsection (b)(3), over a period of up to five years, from the inventory of the public housing agency and the annual contributions contract. The plan shall be approved by the relevant local official as not inconsistent with the Comprehensive Housing Affordability Strategy under title I of the Housing and Community Development Act of 1992, including a description of any disposition and demolition plan for the public housing units.

(2) The Secretary may extend the deadline in paragraph (1) for up to an additional five years where the Secretary makes a determination that the deadline is impracticable.

(3) The Secretary shall take appropriate actions to ensure removal of developments identified under subsection (a) or subsection (b)(3) from the inventory of a public housing agency, if the public housing agency fails to adequately develop a plan under paragraph (1), or fails to adequately implement such plan in accordance with the terms of the plan.

(4) To the extent approved in appropriations Acts, the Secretary may establish requirements and provide funding under the Urban Revitalization Demonstration program for demolition and disposition of public housing under this section.

(5) Notwithstanding any other provision of law, if a development is removed from the inventory of a public housing agency and the annual contributions contract pursuant to paragraph (1), the Secretary may authorize or direct the transfer of—

(A) in the case of an agency receiving assistance under the comprehensive improvement assistance program, any amounts obligated by the Secretary for the modernization of such development pursuant to section 14 of the United States Housing Act of 1937;

(B) in the case of an agency receiving public and Indian housing modernization assistance by formula pursuant to section 14 of the United States Housing Act of 1937, any amounts provided to the agency which are attributable pursuant to the formula for allocating such assistance to the development removed from the inventory of that agency; and

(C) in the case of an agency receiving assistance for the major reconstruction of obsolete projects, any amounts obligated by the Secretary for the major reconstruction of the development pursuant to section 5 of such Act, to the tenant-based assistance program or appropriate site revitalization of such agency.

(6) CESSATION OF UNNECESSARY SPENDING.—Notwithstanding any other provision of law, if, in the determination of the Secretary, a development meets or is likely to meet the criteria set forth in subsection (a), the Secretary may direct

the public housing agency to cease additional spending in connection with the development, except to the extent that additional spending is necessary to ensure decent, safe, and sanitary housing until the Secretary determines or approves an appropriate course of action with respect to such development under this section.

(d) CONVERSION TO TENANT-BASED ASSISTANCE.—

(1) The Secretary shall make authority available to a public housing agency to provide tenant-based assistance pursuant to section 8 to families residing in any development that is removed from the inventory of the public housing agency and the annual contributions contract pursuant to subsection (b).

(2) Each conversion plan under subsection (c) shall—

(A) require the agency to notify families residing in the development, consistent with any guidelines issued by the Secretary governing such notifications, that the development shall be removed from the inventory of the public housing agency and the families shall receive tenant-based or project-based assistance, and to provide any necessary counseling for families; and

(B) ensure that all tenants affected by a determination under this section that a development shall be removed from the inventory of a public housing agency shall be offered tenant-based or project-based assistance and shall be relocated, as necessary, to other decent, safe, sanitary, and affordable housing which is, to the maximum extent practicable, housing of their choice.

(e) IN GENERAL.—

(1) The Secretary may require a public housing agency to provide such information as the Secretary considers necessary for the administration of this section.

(2) As used in this section, the term "development" shall refer to a project or projects, or to portions of a project or projects, as appropriate.

(3) Section 18 of the United States Housing Act of 1937 shall not apply to the demolition of developments removed from the inventory of the public housing agency under this section.

#### STREAMLINING SECTION 8 TENANT-BASED ASSISTANCE

SEC. 203. (a) "TAKE-ONE, TAKE-ALL".—Section 8(t) of the United States Housing Act of 1937 is hereby repealed.

(b) EXEMPTION FROM NOTICE REQUIREMENTS FOR THE CERTIFICATE AND VOUCHER PROGRAMS.—Section 8(c) of such Act is amended—

(1) in paragraph (8), by inserting after "section" the following: "(other than a contract for assistance under the certificate or voucher program)"; and

(2) in the first sentence of paragraph (9), by striking "(but not less than 90 days in the case of housing certificates or vouchers under subsection (b) or (c))" and inserting ", other than a contract under the certificate or voucher program".

(c) ENDLESS LEASE.—Section 8(d)(1)(B) of such Act is amended—

(1) in clause (ii), by inserting "during the term of the lease," after "(ii)"; and

(2) in clause (iii), by striking "provide that" and inserting "during the term of the lease,".

(d) APPLICABILITY.—The provisions of this section shall be effective for fiscal year 1996 only.

#### PUBLIC HOUSING/SECTION 8 MOVING TO WORK DEMONSTRATION

SEC. 204. (a) PURPOSE.—The purpose of this demonstration is to give public housing agencies and the Secretary of Housing and Urban Development the flexibility to design and test various approaches for providing and administering housing assistance that: reduce cost and achieve greater cost effectiveness in Federal expenditures; give incentives to families with children where the head of household is working, seeking work, or is preparing for work by participating in job training, educational programs, or pro-

grams that assist people to obtain employment and become economically self-sufficient; and increase housing choices for low-income families.

(b) PROGRAM AUTHORITY.—The Secretary of Housing and Urban Development shall conduct a demonstration program under this section beginning in fiscal year 1996 under which up to 30 public housing agencies (including Indian housing authorities) administering the public or Indian housing program and the section 8 housing assistance payments program may be selected by the Secretary to participate. The Secretary shall provide training and technical assistance during the demonstration and conduct detailed evaluations of up to 15 such agencies in an effort to identify replicable program models promoting the purpose of the demonstration. Under the demonstration, notwithstanding any provision of the United States Housing Act of 1937 except as provided in subsection (e), an agency may combine operating assistance provided under section 9 of the United States Housing Act of 1937, modernization assistance provided under section 14 of such Act, and assistance provided under section 8 of such Act for the certificate and voucher programs, to provide housing assistance for low-income families, as defined in section 3(b)(2) of the United States Housing Act of 1937, and services to facilitate the transition to work on such terms and conditions as the agency may propose and the Secretary may approve.

(c) APPLICATION.—An application to participate in the demonstration—

(1) shall request authority to combine assistance under sections 8, 9, and 14 of the United States Housing Act of 1937;

(2) shall be submitted only after the public housing agency provides for citizen participation through a public hearing and, if appropriate, other means;

(3) shall include a plan developed by the agency that takes into account comments from the public hearing and any other public comments on the proposed program, and comments from current and prospective residents who would be affected, and that includes criteria for—

(A) families to be assisted, which shall require that at least 75 percent of the families assisted by participating demonstration public housing authorities shall be very low-income families, as defined in section 3(b)(2) of the United States Housing Act of 1937;

(B) establishing a reasonable rent policy, which shall be designed to encourage employment and self-sufficiency by participating families, consistent with the purpose of this demonstration, such as by excluding some or all of a family's earned income for purposes of determining rent;

(C) continuing to assist substantially the same total number of eligible low-income families as would have been served had the amounts not been combined;

(D) maintaining a comparable mix of families (by family size) as would have been provided had the amounts not been used under the demonstration; and

(E) assuring that housing assisted under the demonstration program meets housing quality standards established or approved by the Secretary; and

(4) may request assistance for training and technical assistance to assist with design of the demonstration and to participate in a detailed evaluation.

(d) SELECTION.—In selecting among applications, the Secretary shall take into account the potential of each agency to plan and carry out a program under the demonstration, the relative performance by an agency under the public housing management assessment program under section 6(j) of the United States Housing Act of 1937, and other appropriate factors as determined by the Secretary.

(e) APPLICABILITY OF 1937 ACT PROVISIONS.—(1) Section 18 of the United States Housing Act of 1937 shall continue to apply to public

housing notwithstanding any use of the housing under this demonstration.

(2) Section 12 of such Act shall apply to housing assisted under the demonstration, other than housing assisted solely due to occupancy by families receiving tenant-based assistance.

(f) EFFECT ON SECTION 8, OPERATING SUBSIDIES, AND COMPREHENSIVE GRANT PROGRAM ALLOCATIONS.—The amount of assistance received under section 8, section 9, or pursuant to section 14 by a public housing agency participating in the demonstration under this part shall not be diminished by its participation.

(g) RECORDS, REPORTS, AND AUDITS.—

(1) KEEPING OF RECORDS.—Each agency shall keep such records as the Secretary may prescribe as reasonably necessary to disclose the amounts and the disposition of amounts under this demonstration, to ensure compliance with the requirements of this section, and to measure performance.

(2) REPORTS.—Each agency shall submit to the Secretary a report, or series of reports, in a form and at a time specified by the Secretary. Each report shall—

(A) document the use of funds made available under this section;

(B) provide such data as the Secretary may request to assist the Secretary in assessing the demonstration; and

(C) describe and analyze the effect of assisted activities in addressing the objectives of this part.

(3) ACCESS TO DOCUMENTS BY THE SECRETARY.—The Secretary shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to assistance in connection with, and the requirements of, this section.

(4) ACCESS TO DOCUMENTS BY THE COMPTROLLER GENERAL.—The Comptroller General of the United States, or any of the duly authorized representatives of the Comptroller General, shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to assistance in connection with, and the requirements of, this section.

(h) EVALUATION AND REPORT.—

(1) CONSULTATION WITH PHA AND FAMILY REPRESENTATIVES.—In making assessments throughout the demonstration, the Secretary shall consult with representatives of public housing agencies and residents.

(2) REPORT TO CONGRESS.—Not later than 180 days after the end of the third year of the demonstration, the Secretary shall submit to the Congress a report evaluating the programs carried out under the demonstration. The report shall also include findings and recommendations for any appropriate legislative action.

(i) FUNDING FOR TECHNICAL ASSISTANCE AND EVALUATION.—From amounts appropriated for assistance under section 14 of the United States Housing Act of 1937 for fiscal years 1996, 1997, and 1998, the Secretary may use up to a total of \$5,000,000—

(1) to provide, directly or by contract, training and technical assistance—

(A) to public housing agencies that express an interest to apply for training and technical assistance pursuant to subsection (c)(4), to assist them in designing programs to be proposed for the demonstration; and

(B) to up to 10 agencies selected to receive training and technical assistance pursuant to subsection (c)(4), to assist them in implementing the approved program; and

(2) to conduct detailed evaluations of the activities of the public housing agencies under paragraph (1)(B), directly or by contract.

#### EXTENSION OF MULTIFAMILY HOUSING FINANCE PROGRAM

SEC. 205. (a) The first sentence of section 542(b)(5) of the Housing and Community Development Act of 1992 (12 U.S.C. 1707 note) is amended by striking "on not more than 15,000

units over fiscal years 1993 and 1994" and inserting "on not more than 7,500 units during fiscal year 1996".

(b) The first sentence of section 542(c)(4) of the Housing and Community Development Act of 1992 (12 U.S.C. 1707 note) is amended by striking "on not to exceed 30,000 units over fiscal years 1993, 1994, and 1995" and inserting "on not more than 12,000 units during fiscal year 1996".

#### FORECLOSURE OF HUD-HELD MORTGAGES THROUGH THIRD PARTIES

SEC. 206. During fiscal year 1996, the Secretary of Housing and Urban Development may delegate to one or more entities the authority to carry out some or all of the functions and responsibilities of the Secretary in connection with the foreclosure of mortgages held by the Secretary under the National Housing Act.

#### RESTRUCTURING OF THE HUD MULTIFAMILY MORTGAGE PORTFOLIO THROUGH STATE HOUSING FINANCE AGENCIES

SEC. 207. During fiscal year 1996, the Secretary of Housing and Urban Development may sell or otherwise transfer multifamily mortgages held by the Secretary under the National Housing Act to a State housing finance agency in connection with a program authorized under section 542 (b) or (c) of the Housing and Community Development Act of 1992 without regard to the unit limitations in section 542(b)(5) or 542(c)(4) of such Act.

#### TRANSFER OF SECTION 8 AUTHORITY

SEC. 208. Section 8 of the United States Housing Act of 1937 is amended by adding the following new subsection at the end:

"(b) TRANSFER OF BUDGET AUTHORITY.—If an assistance contract under this section, other than a contract for tenant-based assistance, is terminated or is not renewed, or if the contract expires, the Secretary shall, in order to provide continued assistance to eligible families, including eligible families receiving the benefit of the project-based assistance at the time of the termination, transfer any budget authority remaining in the contract to another contract. The transfer shall be under such terms as the Secretary may prescribe."

#### DOCUMENTATION OF MULTIFAMILY REFINANCINGS

SEC. 209. Notwithstanding the 16th paragraph under the item relating to "administrative provisions" in title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1995 (Public Law 103-327; 108 Stat. 2316), the amendments to section 223(a)(7) of the National Housing Act made by the 15th paragraph of such Act shall be effective during fiscal year 1996 and thereafter.

#### FHA MULTIFAMILY DEMONSTRATION AUTHORITY

SEC. 210. (a) On and after October 1, 1995, and before October 1, 1997, the Secretary of Housing and Urban Development shall initiate a demonstration program with respect to multifamily projects whose owners agree to participate and whose mortgages are insured under the National Housing Act and that are assisted under section 8 of the United States Housing Act of 1937 and whose present section 8 rents are, in the aggregate, in excess of the fair market rent of the locality in which the project is located. These programs shall be designed to test the feasibility and desirability of the goal of ensuring, to the maximum extent practicable, that the debt service and operating expenses, including adequate reserves, attributable to such multifamily projects can be supported with or without mortgage insurance under the National Housing Act and with or without above-market rents and utilizing project-based assistance or, with the consent of the property owner, tenant-based assistance, while taking into account the need for assistance of low- and very low-income families in such projects. In carrying out this demonstration, the Secretary may use arrangements with third parties, under which the Secretary may

provide for the assumption by the third parties (by delegation, contract, or otherwise) of some or all of the functions, obligations, and benefits of the Secretary.

(1) GOALS.—The Secretary of Housing and Urban Development shall carry out the demonstration programs under this section in a manner that—

(A) will protect the financial interests of the Federal Government;

(B) will result in significant discretionary cost savings through debt restructuring and subsidy reduction; and

(C) will, in the least costly fashion, address the goals of—

(i) maintaining existing housing stock in a decent, safe, and sanitary condition;

(ii) minimizing the involuntary displacement of tenants;

(iii) restructuring the mortgages of such projects in a manner that is consistent with local housing market conditions;

(iv) supporting fair housing strategies;

(v) minimizing any adverse income tax impact on property owners; and

(vi) minimizing any adverse impact on residential neighborhoods.

In determining the manner in which a mortgage is to be restructured or the subsidy reduced, the Secretary may balance competing goals relating to individual projects in a manner that will further the purposes of this section.

(2) DEMONSTRATION APPROACHES.—In carrying out the demonstration programs, subject to the appropriation in subsection (f), the Secretary may use one or more of the following approaches:

(A) Joint venture arrangements with third parties, under which the Secretary may provide for the assumption by the third parties (by delegation, contract, or otherwise) of some or all of the functions, obligations, and benefits of the Secretary.

(B) Subsidization of the debt service of the project to a level that can be paid by an owner receiving an unsubsidized market rent.

(C) Renewal of existing project-based assistance contracts where the Secretary shall approve proposed initial rent levels that do not exceed the greater of 120 percent of fair market rents or comparable market rents for the relevant metropolitan market area or at rent levels under a budget-based approach.

(D) Nonrenewal of expiring existing project-based assistance contracts and providing tenant-based assistance to previously assisted households.

(b) For purposes of carrying out demonstration programs under subsection (a)—

(1) the Secretary may manage and dispose of multifamily properties owned by the Secretary as of October 1, 1995 and multifamily mortgages held by the Secretary as of October 1, 1995 for properties assisted under section 8 with rents above 110 percent of fair market rents without regard to any other provision of law; and

(2) the Secretary may delegate to one or more entities the authority to carry out some or all of the functions and responsibilities of the Secretary in connection with the foreclosure of mortgages held by the Secretary under the National Housing Act.

(c) For purposes of carrying out demonstration programs under subsection (a), subject to such third party consents (if any) as are necessary including but not limited to (i) consent by the Government National Mortgage Association where it owns a mortgage insured by the Secretary; (ii) consent by an issuer under the mortgage-backed securities program of the Association, subject to the responsibilities of the issuer to its security holders and the Association under such program; and (iii) parties to any contractual agreement which the Secretary proposes to modify or discontinue, and subject to the appropriation in subsection (c), the Secretary or one or more third parties designated by the Secretary may take the following actions:

(1) Notwithstanding any other provision of law, and subject to the agreement of the project owner, the Secretary or third party may remove, relinquish, extinguish, modify, or agree to the removal of any mortgage, regulatory agreement, project-based assistance contract, use agreement, or restriction that had been imposed or required by the Secretary, including restrictions on distributions of income which the Secretary or third party determines would interfere with the ability of the project to operate without above market rents. The Secretary or third party may require an owner of a property assisted under the section 8 new construction/substantial rehabilitation program to apply any accumulated residual receipts toward effecting the purposes of this section.

(2) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development may enter into contracts to purchase reinsurance, or enter into participations or otherwise transfer economic interest in contracts of insurance or in the premiums paid, or due to be paid, on such insurance to third parties, on such terms and conditions as the Secretary may determine.

(3) The Secretary may offer project-based assistance with rents at or below fair market rents for the locality in which the project is located and may negotiate such other terms as are acceptable to the Secretary and the project owner.

(4) The Secretary may offer to pay all or a portion of the project's debt service, including payments monthly from the appropriate Insurance Fund, for the full remaining term of the insured mortgage.

(5) Notwithstanding any other provision of law, the Secretary may forgive and cancel any FHA-insured mortgage debt that a demonstration program property cannot carry at market rents while bearing full operating costs.

(6) For demonstration program properties that cannot carry full operating costs (excluding debt service) at market rents, the Secretary may approve project-based rents sufficient to carry such full operating costs and may offer to pay the full debt service in the manner provided in paragraph (4).

(d) COMMUNITY AND TENANT INPUT.—In carrying out this section, the Secretary shall develop procedures to provide appropriate and timely notice to officials of the unit of general local government affected, the community in which the project is situated, and the tenants of the project.

(e) LIMITATION ON DEMONSTRATION AUTHORITY.—The Secretary may carry out demonstration programs under this section with respect to mortgages not to exceed 15,000 units. The demonstration authorized under this section shall not be expanded until the reports required under subsection (g) are submitted to the Congress.

(f) APPROPRIATION.—For the cost of modifying loans held or guaranteed by the Federal Housing Administration, as authorized by this subsection (a)(2) and subsection (c), \$30,000,000, to remain available until September 30, 1997: Provided, That such costs shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended.

(g) REPORT TO CONGRESS.—The Secretary shall submit to the Congress every six months after the date of enactment of this Act a report describing and assessing the programs carried out under the demonstrations. The Secretary shall also submit a final report to the Congress not later than six months after the end of the demonstrations. The reports shall include findings and recommendations for any legislative action appropriate. The reports shall also include a description of the status of each multifamily housing project selected for the demonstrations under this section. The final report may include—

(1) the size of the projects;

(2) the geographic locations of the projects, by State and region;

(3) the physical and financial condition of the projects;

(4) the occupancy profile of the projects, including the income, family size, race, and ethnic origin of current tenants, and the rents paid by such tenants;

(5) a description of actions undertaken pursuant to this section, including a description of the effectiveness of such actions and any impediments to the transfer or sale of multifamily housing projects;

(6) a description of the extent to which the demonstrations under this section have displaced tenants of multifamily housing projects;

(7) a description of any of the functions performed in connection with this section that are transferred or contracted out to public or private entities or to States;

(8) a description of the impact to which the demonstrations under this section have affected the localities and communities where the selected multifamily housing projects are located; and

(9) a description of the extent to which the demonstrations under this section have affected the owners of multifamily housing projects.

#### ASSESSMENT COLLECTION DATES FOR OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SEC. 211. Section 1316(b) of the Housing and Community Development Act of 1992 (12 U.S.C. 4516(b)) is amended by striking paragraph (2) and inserting the following new paragraph:

“(2) TIMING OF PAYMENT.—The annual assessment shall be payable semiannually for each fiscal year, on October 1 and April 1.”.

#### MERGER LANGUAGE FOR ASSISTANCE FOR THE RENEWAL OF EXPIRING SECTION 8 SUBSIDY CONTRACTS AND ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

SEC. 212. All remaining obligated and unobligated balances in the Renewal of Expiring Section 8 Subsidy Contracts account on September 30, 1995, shall immediately thereafter be transferred to and merged with the obligated and unobligated balances, respectively, of the Annual Contributions for Assisted Housing account.

#### DEBT FORGIVENESS

SEC. 213. (a) The Secretary of Housing and Urban Development shall cancel the indebtedness of the Hubbard Hospital Authority of Hubbard, Texas, relating to the public facilities loan for Project Number PFL-TEX-215, issued under title II of the Housing Amendments of 1955. Such hospital authority is relieved of all liability to the Government for the outstanding principal balance on such loan, for the amount of accrued interest on such loan, and for any fees and charges payable in connection with such loan.

(b) The Secretary of Housing and Urban Development shall cancel the indebtedness of the Groveton Texas Hospital Authority relating to the public facilities loan for Project Number TEX-41-PFL0162, issued under title II of the Housing Amendments of 1955. Such hospital authority is relieved of all liability to the Government for the outstanding principal balance on such loan, for the amount of accrued interest on such loan, and for any fees and charges payable in connection with such loan.

(c) The Secretary of Housing and Urban Development shall cancel the indebtedness of the Hepzibah Public Service District of Hepzibah, West Virginia, relating to the public facilities loan for Project Number WV-46-PFL0031, issued under title II of the Housing Amendments of 1955. Such public service district is relieved of all liability to the Government for the outstanding principal balance on such loan, for the amount of accrued interest on such loan, and for any fees and charges payable in connection with such loan.

#### CLARIFICATIONS

SEC. 214. For purposes of Federal law, the Paul Mirabile Center in San Diego, California, including areas within such Center that are devoted to the delivery of supportive services, has

been determined to satisfy the “continuum of care” requirements of the Department of Housing and Urban Development, and shall be treated as—

(a) consisting solely of residential units that (i) contain sleeping accommodations and kitchen and bathroom facilities, (ii) are located in a building that is used exclusively to facilitate the transition of homeless individuals (within the meaning of section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302), as in effect on December 19, 1989) to independent living within 24 months, (iii) are suitable for occupancy, with each cubicle constituting a separate bedroom and residential unit, (iv) are used on other than a transient basis, and (v) shall be originally placed in service on November 1, 1995; and

(b) property that is entirely residential rental property, namely, a project for residential rental property.

#### EMPLOYMENT LIMITATIONS

SEC. 215. (a) By the end of fiscal year 1996 the Department of Housing and Urban Development shall employ no more than eight Assistant Secretaries, notwithstanding section 4(a) of the Department of Housing and Urban Development Act.

(b) By the end of fiscal year 1996 the Department of Housing and Urban Development shall employ no more than 77 schedule C and 20 non-career senior executive service employees.

#### USE OF FUNDS

SEC. 216. (a) Of the \$93,400,000 earmarked in Public Law 101-144 (103 Stat. 850), as amended by Public Law 101-302 (104 Stat. 237), for special projects and purposes, any amounts remaining of the \$500,000 made available to Bethlehem House in Highland, California, for site planning and loan acquisition shall instead be made available to the County of San Bernardino in California to assist with the expansion of the Los Padrinos Gang Intervention Program and the Unity Home Domestic Violence Shelter, and San Bernardino drug court program.

(b) The amount made available for fiscal year 1995 for the removal of asbestos from an abandoned public school building in Toledo, Ohio shall be made available for the renovation and rehabilitation of an industrial building at the University of Toledo in Toledo, Ohio.

#### LEAD-BASED PAINT ABATEMENT

SEC. 217. (a) Section 1011 of Title X—Residential Lead-Based Paint Hazard Reduction Act of 1992 is amended as follows: Strike “priority housing” wherever it appears in said section and insert “housing”.

(b) Section 1011(a) shall be amended as follows: At the end of the subsection after the period, insert: “Grants shall only be made under this section to provide assistance for housing which meets the following criteria—

“(1) for grants made to assist rental housing, at least 50 percent of the units must be occupied by or made available to families with incomes at or below 50 percent of the area median income level and the remaining units shall be occupied or made available to families with incomes at or below 80 percent of the area median income level, and in all cases the landlord shall give priority in renting units assisted under this section, for not less than 3 years following the completion of lead abatement activities, to families with a child under the age of six years, except that buildings with five or more units may have 20 percent of the units occupied by families with incomes above 80 percent of area median income level;

“(2) for grants made to assist housing owned by owner-occupants, all units assisted with grants under this section shall be the principal residence of families with income at or below 80 percent of the area median income level, and not less than 90 percent of the units assisted with grants under this section shall be occupied by a child under the age of six years or shall be units where a child under the age of six years spends a significant amount of time visiting; and

“(3) notwithstanding paragraphs (1) and (2), Round II grantees who receive assistance under this section may use such assistance for priority housing.”.

#### EXTENSION PERIOD FOR SHARING UTILITY COST SAVINGS WITH PHAS

SEC. 218. Section 9(a)(3)(B)(i) of the United States Housing Act of 1937 is amended by striking “for a period not to exceed 6 years”.

#### MORTGAGE NOTE SALES

SEC. 219. The first sentence of section 221(g)(4)(C)(viii) of the National Housing Act is amended by striking “September 30, 1995” and inserting in lieu thereof “September 30, 1996”.

#### REPEAL OF FROST-LELAND

SEC. 220. Section 415 of the Department of Housing and Urban Development—Independent Agencies Appropriations Act, 1988 (Public Law 100-202; 101 Stat. 1329-213) is repealed.

#### FHA SINGLE-FAMILY ASSIGNMENT PROGRAM REFORM

SEC. 221. (a) CORRECTION TO FORECLOSURE AVOIDANCE PROVISION.—The penultimate proviso of section 204(a) of the National Housing Act (12 U.S.C. 1710(a)), as added by section 407(a) of the Balanced Budget Downpayment Act, I (Public Law 104-99), is amended by striking “special foreclosure” and inserting in lieu thereof “special forbearance”.

“(b) SAVINGS PROVISION.—Any mortgage for which the mortgagor has applied to the Secretary, before the date of enactment of this Act, for assignment to the Secretary pursuant to section 230(b) of the National Housing Act shall continue to be governed by the provisions of each section, as in effect immediately before enactment of the Balanced Budget Downpayment Act, I.

(2) Section 230(d) of the National Housing Act, as amended by section 407(b) of the Balanced Budget Downpayment Act, I, is repealed.

“(c) REGULATIONS.—(1) Not later than 30 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall issue interim regulations to implement section 407 of the Balanced Budget Downpayment Act, I, and the amendments to the National Housing Act made by that section.

(2) Section 407(d) of the Balanced Budget Downpayment Act, I, is repealed.

(d) EXTENSION OF REFORM TO MORTGAGES ORIGINATED IN FISCAL YEAR 1996.—Section 407(c) of the Balanced Budget Downpayment Act, I, is amended by striking “originated before October 1, 1995” and inserting “executed before October 1, 1996”.

#### SPENDING LIMITATIONS

SEC. 222. (a) None of the funds in this Act may be used by the Secretary to impose any sanction, or penalty because of the enactment of any State or local law or regulation declaring English as the official language.

(b) No part of any appropriation contained in this Act shall be used for lobbying activities as prohibited by law.

SEC. 223. None of the funds provided in this Act may be used during fiscal year 1996 to investigate or prosecute under the Fair Housing Act (42 U.S.C. 3601, et seq.) any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of non-frivolous legal action, that is engaged in solely for the purposes of achieving or preventing action by a Government official, entity, or court of competent jurisdiction.

SEC. 224. None of the funds provided in this Act may be used to take any enforcement action with respect to a complaint of discrimination under the Fair Housing Act (42 U.S.C. 3601, et seq.) on the basis of familial status and which involves an occupancy standard established by the housing provider except to the extent that it is found that there has been discrimination in contravention of the standards provided in the March 20, 1991 Memorandum from the General Counsel of the Department of Housing and



Urban Development to all Regional Counsel or until such time that HUD issues a final rule in accordance with section 553 of title 5, United States Code.

#### CDBG ELIGIBLE ACTIVITIES

SEC. 225. Section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)) is amended—

(1) in paragraph (4)—  
(A) by inserting "reconstruction," after "removal,"; and

(B) by striking "acquisition for rehabilitation, and rehabilitation" and inserting "acquisition for reconstruction or rehabilitation, and reconstruction or rehabilitation";

(2) in paragraph (13), by striking "and" at the end;

(3) by striking paragraph (19);

(4) in paragraph (24), by striking "and" at the end;

(5) in paragraph (25), by striking the period at the end and inserting "; and";

(6) by redesignating paragraphs (20) through (25) as paragraphs (19) through (24), respectively; and

(7) by redesignating paragraph (21) (as added by section 1012(f)(3) of the Housing and Community Development Act of 1992) as paragraph (25).

SEC. 226. (a) The Secretary shall award for the community development grants program, as authorized by title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301), for the State of New York, not more than 35 percent of the funds made available for fiscal year 1996 for grants allocated for any multi-year commitment. The Secretary shall issue proposed and final rulemaking for the requirements of the community development grants program for the State of New York before issuing a Notice of Funding Availability for funds made available for fiscal year 1997.

SEC. 227. All funds allocated for the State of New York for fiscal years 1995 and 1996 under the Home investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625) shall be made available to the Chief Executive Officer of the State, or an entity designated by the Chief Executive Officer, to be used for activities in accordance with the requirements of the HOME investment partnership program, notwithstanding the memorandum from the general Counsel of the Department of Housing and Urban Development dated March 5, 1996.

SEC. 228. (a) The second sentence of section 236(f)(1) of the National Housing Act, as amended by section 405(d)(1) of The Balanced Budget Downpayment Act, I, is amended—

(1) by striking "or (ii)" and inserting "(ii)"; and

(2) by striking "located," and inserting: "located, or (iii) the actual rent (as determined by the Secretary) paid for a comparable unit in comparable unassisted housing in the market area in which the housing assisted under this section is located,".

(b) The first sentence of section 236(g) of the National Housing Act is amended by inserting the phrase "on a unit-by-unit basis" after "collected".

#### TECHNICAL CORRECTION TO MINIMUM RENT AUTHORITY

SEC. 229. Section 402(a) of The Balanced Budget Downpayment Act, I (Public Law 104-99), is amended by inserting after "as amended," the following: "or section 206(d) of the Housing and Urban-Rural Recovery Act of 1983 (including section 206(d)(5) of such Act),".

#### MINIMUM RENT WAIVER AUTHORITY

SEC. 230. Notwithstanding section 402(a) of The Balanced Budget Downpayment Act, I (Public Law 104-99), the Secretary of Housing and Urban Development or a public housing agency (including an Indian housing authority) may waive the minimum rent requirement of

that section to provide a transition period for affected families. The term of a waiver approved pursuant to this section may be retroactive, but may not apply for more than three months with respect to any family.

#### TITLE III INDEPENDENT AGENCIES

##### AMERICAN BATTLE MONUMENTS COMMISSION SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one for replacement only) and hire of passenger motor vehicles; and insurance of official motor vehicles in foreign countries, when required by law of such countries; \$20,265,000, to remain available until expended: Provided, That where station allowance has been authorized by the Department of the Army for officers of the Army serving the Army at certain foreign stations, the same allowance shall be authorized for officers of the Armed Forces assigned to the Commission while serving at the same foreign stations, and this appropriation is hereby made available for the payment of such allowance: Provided further, That when traveling on business of the Commission, officers of the Armed Forces serving as members or as Secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission: Provided further, That the Commission shall reimburse other Government agencies, including the Armed Forces, for salary, pay, and allowances of personnel assigned to it.

##### DEPARTMENT OF THE TREASURY COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

For grants, loans, and technical assistance to qualifying community development financial institutions, and administrative expenses of the Fund, \$45,000,000, to remain available until September 30, 1997: Provided, That of the funds made available under this heading not to exceed \$4,000,000 may be used for the cost of direct loans, and not to exceed \$400,000 may be used for administrative expenses to carry out the direct loan program: Provided further, That the cost of direct loans, including the cost of modifying such loans, shall be defined as in section 502 of the Congressional Budget Act of 1974: Provided further, That such funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$28,440,000: Provided further, That none of these funds shall be used to supplement existing resources provided to the Department for activities such as external affairs, general counsel, administration, finance, or office of inspector general: Provided further, That none of these funds shall be available for expenses of an Administrator as defined in section 104 of the Community Development Banking and Financial Institutions Act of 1994 (CDBFI Act): Provided further, That notwithstanding any other provision of law, for purposes of administering the Community Development Financial Institutions Fund, the Secretary of the Treasury shall have all powers and rights of the Administrator of the CDBFI Act and the Fund shall be within the Department of the Treasury.

##### CONSUMER PRODUCT SAFETY COMMISSION SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS-18, purchase of nominal awards to recognize non-Federal officials' contributions to Com-

mission activities, and not to exceed \$500 for official reception and representation expenses, \$40,000,000.

##### CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

##### NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Corporation for National and Community Service (referred to in the matter under this heading as the "Corporation") in carrying out programs, activities, and initiatives under the National and Community Service Act of 1990 (referred to in the matter under this heading as the "Act") (42 U.S.C. 12501 et seq.), \$400,500,000, of which \$265,000,000 shall be available for obligation from September 1, 1996, through September 30, 1997: Provided, That not more than \$25,000,000 shall be available for administrative expenses authorized under section 501(a)(4) of the Act (42 U.S.C. 12671(a)(4)): Provided further, That not more than \$2,500 shall be for official reception and representation expenses: Provided further, That not more than \$59,000,000, to remain available without fiscal year limitation, shall be transferred to the National Service Trust account for educational awards authorized under subtitle D of title I of the Act (42 U.S.C. 12601 et seq.): Provided further, That not more than \$215,000,000 of the amount provided under this heading shall be available for grants under the National Service Trust program authorized under subtitle C of title I of the Act (42 U.S.C. 12571 et seq.) (relating to activities including the Americorps program), of which not more than \$40,000,000 may be used to administer, reimburse or support any national service program authorized under section 121(d)(2) of such Act (42 U.S.C. 12581(d)(2)): Provided further, That not more than \$5,500,000 of the funds made available under this heading shall be made available for the Points of Light Foundation for activities authorized under title III of the Act (42 U.S.C. 12661 et seq.): Provided further, That no funds shall be available for national service programs run by Federal agencies authorized under section 121(b) of such Act (42 U.S.C. 12581(b)): Provided further, That to the maximum extent feasible, funds appropriated in the preceding proviso shall be provided in a manner that is consistent with the recommendations of peer review panels in order to ensure that priority is given to programs that demonstrate quality, innovation, replicability, and sustainability: Provided further, That not more than \$18,000,000 of the funds made available under this heading shall be available for the Civilian Community Corps authorized under subtitle E of title I of the Act (42 U.S.C. 12611 et seq.): Provided further, That not more than \$43,000,000 shall be available for school-based and community-based service-learning programs authorized under subtitle B of title I of the Act (41 U.S.C. 12521 et seq.): Provided further, That not more than \$30,000,000 shall be available for quality and innovation activities authorized under subtitle H of title I of the Act (42 U.S.C. 12853 et seq.): Provided further, That not more than \$5,000,000 shall be available for audits and other evaluations authorized under section 179 of the Act (42 U.S.C. 12639), of which up to \$500,000 shall be available for a study by the National Academy of Public Administration on the structure, organization, and management of the Corporation and activities supported by the Corporation, including an assessment of the quality, innovation, replicability, and sustainability without Federal funds of such activities, and the Federal and non-Federal cost of supporting participants in community service activities: Provided further, That no funds from any other appropriation, or from funds otherwise made available to the Corporation, shall be used to pay for personnel compensation and benefits, travel, or any other administrative expense for the Board of Directors, the Office of the Chief Executive Officer, the Office of the

Managing Director, the Office of the Chief Financial Officer, the Office of National and Community Service Programs, the Civilian Community Corps, or any field office or staff of the Corporation working on the National and Community Service or Civilian Community Corps programs: Provided further, That to the maximum extent practicable, the Corporation shall increase significantly the level of matching funds and in-kind contributions provided by the private sector, shall expand significantly the number of educational awards provided under subtitle D of title I, and shall reduce the total Federal cost per participant in all programs: Provided further, That prior to September 30, 1996, the General Accounting Office shall report to the Congress the results of a study of State commission programs which evaluates the cost per participant, the commissions' ability to oversee the programs, and other relevant considerations.

#### SENSE OF CONGRESS

It is the sense of the Congress that accounting for taxpayers' funds must be a top priority for all Federal agencies and Government corporations. The Congress is deeply concerned about the findings of the recent audit of the Corporation for National and Community Service required under the Government Corporation Control Act of 1945. The Congress urges the President to expeditiously nominate a qualified Chief Financial Officer for the Corporation. Further, to the maximum extent practicable and as quickly as possible, the Corporation should implement the recommendations of the independent auditors contracted for by the Corporation's Inspector General, as well as the Chief Financial Officer, to improve the financial management of taxpayers' funds. Should the Chief Financial Officer determine that additional resources are needed to implement these recommendations, the Corporation should submit a reprogramming proposal for up to \$3,000,000 to carry out reforms of the financial management system.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$2,000,000.

#### COURT OF VETERANS APPEALS

##### SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Veterans Appeals as authorized by 38 U.S.C. sections 7251-7292, \$9,000,000, of which not to exceed \$678,000, to remain available until September 30, 1997, shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this head in Public Law 102-229.

#### DEPARTMENT OF DEFENSE—CIVIL CEMETERY EXPENSES, ARMY

##### SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, and not to exceed \$1,000 for official reception and representation expenses; \$11,946,000, to remain available until expended.

#### ENVIRONMENTAL PROTECTION AGENCY

##### SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation and Liability act of 1980 (CERCLA), as amended; necessary expenses for personnel and related costs and travel expenses, including uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS-18; procurement of laboratory equipment and supplies; other operating expenses in support of research and develop-

ment; construction, alteration, repair, rehabilitation and renovation of facilities, not to exceed \$75,000 per project; \$525,000,000, which shall remain available until September 30, 1997.

#### ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS-18; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project; and not to exceed \$6,000 for official reception and representation expenses; \$1,677,300,000, which shall remain available until September 30, 1997: Provided, That, notwithstanding any other provision of law, for this fiscal year and hereafter, an industrial discharger that is a pharmaceutical manufacturing facility and discharged to the Kalamazoo Water Reclamation Plant (an advanced wastewater treatment plant with activated carbon) prior to the date of enactment of this Act may be exempted from categorical pretreatment standards under section 307(b) of the Federal Water Pollution Control Act, as amended, if the following conditions are met:

(1) the owner or operator of the Kalamazoo Water Reclamation Plant applies to the State of Michigan for an exemption for such industrial discharger,

(2) the State or Administrator, as applicable, approves such exemption request based upon a determination that the Kalamazoo Water Reclamation Plant will provide treatment and pollution removal equivalent to or better than that which would be required through a combination of pretreatment by such industrial discharger and treatment by the Kalamazoo Water Reclamation Plant in the absence of the exemption, and

(3) compliance with paragraph (2) is addressed by the provisions and conditions of a permit issued to the Kalamazoo Water Reclamation Plant under section 402 of such Act, and there exists an operative financial contract between the City of Kalamazoo and the industrial user and an approved local pretreatment program, including a joint monitoring program and local controls to prevent against interference and pass through.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project, \$28,500,000.

#### BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or use by, the Environmental Protection Agency, \$110,000,000, to remain available until expended.

#### HAZARDOUS SUBSTANCE SUPERFUND

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended, including sections 111 (c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project; not to exceed \$1,313,400,000, to remain available until expended, consisting of \$1,063,400,000 as authorized by section 517(a) of the Superfund Amendments and Reauthoriza-

tion Act of 1986 (SARA), as amended by Public Law 101-508 (of which, \$100,000,000 shall not become available until September 1, 1996), and \$250,000,000 as a payment from general revenues to the Hazardous Substance Superfund as authorized by section 517(b) of SARA, as amended by Public Law 101-508: Provided, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: Provided further, That \$11,000,000 of the funds appropriated under this heading shall be transferred to the Office of Inspector General appropriation to remain available until September 30, 1996: Provided further, That notwithstanding section 111(m) of CERCLA or any other provision of law, not to exceed \$59,000,000 of the funds appropriated under this heading shall be available to the Agency for Toxic Substances and Disease Registry to carry out activities described in sections 104(i), 111(c)(4), and 111(c)(14) of CERCLA and section 118(f) of the Superfund Amendments and Reauthorization Act of 1986: Provided further, That none of the funds appropriated under this heading shall be available for the Agency for Toxic Substances and Disease Registry to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 1996: Provided further, That none of the funds made available under this heading may be used by the Environmental Protection Agency to propose for listing or to list any additional facilities on the National Priorities List established by section 105 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended (42 U.S.C. 9605), unless the Administrator receives a written request to propose for listing or to list a facility from the Governor of the State in which the facility is located, or unless legislation to reauthorize CERCLA is enacted.

#### LEAKING UNDERGROUND STORAGE TANK TRUST FUND

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project, \$45,827,000, to remain available until expended: Provided, That no more than \$7,000,000 shall be available for administrative expenses: Provided further, That \$500,000 shall be transferred to the Office of Inspector General appropriation to remain available until September 30, 1996.

#### OIL SPILL RESPONSE

##### (INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, \$15,000,000, to be derived from the Oil Spill Liability trust fund, and to remain available until expended: Provided, That not more than \$8,000,000 of these funds shall be available for administrative expenses.

#### STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, \$2,813,000,000, to remain available until expended, of which \$1,848,500,000 shall be for making capitalization grants for State revolving funds to support water infrastructure financing; \$100,000,000 for architectural, engineering, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; \$50,000,000 for grants to the State of Texas, which shall be matched by an equal amount of State funds from State resources, for the purpose of improving wastewater treatment for colonias; \$15,000,000

for grants to the State of Alaska, subject to an appropriate cost share as determined by the Administrator, to address wastewater infrastructure needs of rural and Alaska Native villages; and \$141,500,000 for making grants for the construction of wastewater treatment facilities and the development of groundwater in accordance with the terms and conditions specified for such grants in the Conference Reports and statements of the managers accompanying H.R. 2099 and this Act: Provided, That beginning in fiscal year 1996 and each fiscal year thereafter, and notwithstanding any other provision of law, the Administrator is authorized to make grants annually from funds appropriated under this heading, subject to such terms and conditions as the Administrator shall establish, to any State or federally recognized Indian tribe for multimedia or single media pollution prevention, control and abatement and related environmental activities at the request of the Governor or other appropriate State official or the tribe: Provided further, That from funds appropriated under this heading, the Administrator may make grants to federally recognized Indian governments for the development of multimedia environmental programs: Provided further, That of the \$1,848,500,000 for capitalization grants for State revolving funds to support water infrastructure financing, \$500,000,000 shall be for drinking water State revolving funds, but if no drinking water State revolving fund legislation is enacted by August 1, 1996, these funds shall immediately be available for making capitalization grants under title VI of the Federal Water Pollution Control Act, as amended: Provided further, That of the funds made available in Public Law 103-327 and in Public Law 103-124 for capitalization grants for State revolving funds to support water infrastructure financing, \$225,000,000 shall be made available for capitalization grants for State revolving funds under title VI of the Federal Water Pollution Control Act, as amended, if no drinking water State revolving fund legislation is enacted by August 1, 1996: Provided further, That of the funds made available under this heading for capitalization grants for State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended, \$50,000,000 shall be for wastewater treatment in impoverished communities pursuant to section 102(d) of H.R. 961 as approved by the United States House of Representatives on May 16, 1995: Provided further, That of the funds appropriated in the Construction Grants and Water Infrastructure/State Revolving Funds accounts since the appropriation for the fiscal year ending September 30, 1992, and hereafter, for making grants for wastewater treatment works construction projects, portions may be provided by the recipients to States for managing construction grant activities, on condition that the States agree to reimburse the recipients from State funding sources: Provided further, That the funds made available in Public Law 103-327 for a grant to the City of Mt. Arlington, New Jersey, in accordance with House Report 103-715, shall be available for a grant to that city for water and sewer improvements.

#### ADMINISTRATIVE PROVISIONS

SEC. 301. None of the funds provided in this Act may be used within the Environmental Protection Agency for any final action by the Administrator or her delegate for signing and publishing for promulgation of a rule concerning any new standard for radon in drinking water.

SEC. 302. None of the funds provided in this Act may be used during fiscal year 1996 to sign, promulgate, implement or enforce the requirement proposed as "Regulation of Fuels and Fuel Additives: Individual Foreign Refinery Baseline Requirements for Reformulated Gasoline" at volume 59 of the Federal Register at pages 22800 through 22814.

SEC. 303. None of the funds appropriated under this Act may be used to implement the requirements of section 186(b)(2), section 187(b) or

section 211(m) of the Clean Air Act (42 U.S.C. 7512(b)(2), 7512a(b), or 7545(m)) with respect to any moderate nonattainment area in which the average daily winter temperature is below 0 degrees Fahrenheit. The preceding sentence shall not be interpreted to preclude assistance from the Environmental Protection Agency to the State of Alaska to make progress toward meeting the carbon monoxide standard in such areas and to resolve remaining issues regarding the use of oxygenated fuels in such areas.

SEC. 304. Notwithstanding any other provision of law, the Environmental Protection Agency shall: (1) transfer all real property acquired in Bay City, Michigan, for the creation of the Center for Ecology, Research and Training (CERT) to the City of Bay City or other local public or municipal entity; and (2) make a grant in fiscal year 1996 to the recipient of the property of not less than \$3,000,000 from funds previously appropriated for the CERT project for the purpose of environmental remediation and rehabilitation of real property included in the boundaries of the CERT project. The disposition of property shall be by donation or no-cost transfer and shall be made to the City of Bay City, Michigan or other local public or municipal entity.

Further, notwithstanding any other provision of law, the agency shall have the authority to demolish or dispose of any improvements on such real property, or to donate, sell, or transfer any personal property or improvements on such real property to members of the general public, by auction or public sale, and to apply any funds received to costs related to the transfer of the real property authorized hereunder.

#### EXECUTIVE OFFICE OF THE PRESIDENT

##### OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, not to exceed \$2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, \$4,981,000: Provided, That the Office of Science and Technology Policy shall reimburse other agencies for not less than one-half of the personnel compensation costs of individuals detailed to it.

##### COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Improvement Act of 1970 and Reorganization Plan No. 1 of 1977, \$2,150,000.

##### FEDERAL EMERGENCY MANAGEMENT AGENCY DISASTER RELIEF

For necessary expenses in carrying out the functions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$222,000,000, to remain available until expended.

##### DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For the cost of direct loans, \$2,155,000, as authorized by section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$25,000,000.

In addition, for administrative expenses to carry out the direct loan program, \$95,000.

##### SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, including hire and purchase of motor vehicles (31 U.S.C. 1343); uniforms, or allow-

ances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS-18; expenses of attendance of cooperating officials and individuals at meetings concerned with the work of emergency preparedness; transportation in connection with the continuity of Government programs to the same extent and in the same manner as permitted the Secretary of a Military Department under 10 U.S.C. 2632; and not to exceed \$2,500 for official reception and representation expenses; \$168,900,000.

##### OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$4,673,000.

##### EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

For necessary expenses, not otherwise provided for, to carry out activities under the National Flood Insurance Act of 1968, as amended, and the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977, as amended (42 U.S.C. 7701 et seq.), the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. 2201 et seq.), the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947, as amended (50 U.S.C. 404-405), and Reorganization Plan No. 3 of 1978, \$203,044,000.

##### EMERGENCY FOOD AND SHELTER PROGRAM

Notwithstanding any other provision of law, for fiscal year 1996, there is hereby appropriated a total of \$100,000,000 to the Federal Emergency Management Agency to carry out an emergency food and shelter program pursuant to title III of Public Law 100-77, as amended: Provided, That total administrative costs shall not exceed three and one-half per centum of the total appropriation.

##### NATIONAL FLOOD INSURANCE FUND

For activities under the National Flood Insurance Act of 1968, the Flood Disaster Protection Act of 1973, and the National Flood Insurance Reform Act of 1994, not to exceed \$20,562,000 for salaries and expenses associated with flood mitigation and flood insurance operations, and not to exceed \$70,464,000 for flood mitigation, including up to \$12,000,000 for expenses under section 1366 of the National Flood Insurance Act of 1968, as amended, which amount shall be available until September 30, 1997. In fiscal year 1996, no funds in excess of (1) \$47,000,000 for operating expenses, (2) \$292,526,000 for agents' commissions and taxes, and (3) \$3,500,000 for interest on Treasury borrowings shall be available from the National Flood Insurance Fund without prior notice to the Committees on Appropriations.

##### ADMINISTRATIVE PROVISION

The Director of the Federal Emergency Management Agency shall promulgate through rule-making a methodology for assessment and collection of fees to be assessed and collected beginning in fiscal year 1996 applicable to persons subject to the Federal Emergency Management Agency's radiological emergency preparedness regulations. The aggregate charges assessed pursuant to this section during fiscal year 1996 shall approximate, but not be less than, 100 per centum of the amounts anticipated by the Federal Emergency Management Agency to be obligated for its radiological emergency preparedness program for such fiscal year. The methodology for assessment and collection of fees shall be fair and equitable, and shall reflect the full amount of costs of providing radiological emergency planning, preparedness, response and associated services. Such fees will be assessed in a manner that reflects the use of agency resources for classes of regulated persons and

the administrative costs of collecting such fees. Fees received pursuant to this section shall be deposited in the general fund of the Treasury as offsetting receipts. Assessment and collection of such fees are only authorized during fiscal year 1996.

GENERAL SERVICES ADMINISTRATION  
CONSUMER INFORMATION CENTER

For necessary expenses of the Consumer Information Center, including services authorized by 5 U.S.C. 3109, \$2,061,000, to be deposited into the Consumer Information Center Fund: Provided, That the appropriations, revenues and collections deposited into the fund shall be available for necessary expenses of Consumer Information Center activities in the aggregate amount of \$7,500,000. Administrative expenses of the Consumer Information Center in fiscal year 1996 shall not exceed \$2,602,000. Appropriations, revenues, and collections accruing to this fund during fiscal year 1996 in excess of \$7,500,000 shall remain in the fund and shall not be available for expenditure except as authorized in appropriations Acts.

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF CONSUMER AFFAIRS

For necessary expenses of the Office of Consumer Affairs, including services authorized by 5 U.S.C. 3109, \$1,800,000: Provided, That notwithstanding any other provision of law, that Office may accept and deposit to this account, during fiscal year 1996, gifts for the purpose of defraying its costs of printing, publishing, and distributing consumer information and educational materials; may expend up to \$1,110,000 of those gifts for those purposes, in addition to amounts otherwise appropriated; and the balance shall remain available for expenditure for such purposes to the extent authorized in subsequent appropriations Act: Provided further, That none of the funds provided under this heading may be made available for any other activities within the Department of Health and Human Services.

NATIONAL AERONAUTICS AND SPACE  
ADMINISTRATION  
HUMAN SPACE FLIGHT

For necessary expenses, not otherwise provided for, in the conduct and support of human space flight research and development activities, including research; development; operations; services; maintenance; construction of facilities including repair, rehabilitation, and modification of real and personal property, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft; \$5,436,600,000, to remain available until September 30, 1997.

SCIENCE, AERONAUTICS AND TECHNOLOGY

For necessary expenses, not otherwise provided for, for the conduct and support of science, aeronautics, and technology research and development activities, including research; development; operations; services; maintenance; construction of facilities including repair, rehabilitation and modification of real and personal property, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft; \$5,928,900,000, to remain available until September 30, 1997.

MISSION SUPPORT

For necessary expenses, not otherwise provided for, in carrying out mission support for human space flight programs and science, aeronautical, and technology programs, including research operations and support; space communications activities including operations, pro-

duction, and services; maintenance; construction of facilities including repair, rehabilitation, and modification of facilities, minor construction of new facilities and additions to existing facilities, facility planning and design, environmental compliance and restoration, and acquisition or condemnation of real property, as authorized by law; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); travel expenses; purchase, lease, charter, maintenance, and operation of mission and administrative aircraft; not to exceed \$35,000 for official reception and representation expenses; and purchase (not to exceed thirty-three for replacement only) and hire of passenger motor vehicles; \$2,502,200,000, to remain available until September 30, 1997.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$16,000,000.

ADMINISTRATIVE PROVISIONS  
(INCLUDING TRANSFER OF FUNDS)

Notwithstanding the limitation on the availability of funds appropriated for "Human space flight", "Science, aeronautics and technology", or "Mission support" by this appropriations Act, when any activity has been initiated by the incurrence of obligations for construction of facilities as authorized by law, the amount available for such activity shall remain available until expended. This provision does not apply to the amounts appropriated in "Mission support" pursuant to the authorization for repair, rehabilitation and modification of facilities, minor construction of new facilities and additions to existing facilities, and facility planning and design.

Notwithstanding the limitation on the availability of funds appropriated for "Human space flight", "Science, aeronautics and technology", or "Mission support" by this appropriations Act, the amounts appropriated for construction of facilities shall remain available until September 30, 1998.

Notwithstanding the limitation on the availability of funds appropriated for "Mission support" and "Office of Inspector General", amounts made available by this Act for personnel and related costs and travel expenses of the National Aeronautics and Space Administration shall remain available until September 30, 1996 and may be used to enter into contracts for training, investigations, cost associated with personnel relocation, and for other services, to be provided during the next fiscal year.

The unexpired balances of prior appropriations to NASA for activities for which funds are provided under this Act may be transferred to the new account established for the appropriation that provides funds for such activity under this Act. Balances so transferred may be merged with funds in the newly established account and thereafter may be accounted for as one fund to be available for the same purposes and under the same terms and conditions.

Upon the determination by the Administrator that such action is necessary, the Administrator may, with the approval of the Office of Management and Budget, transfer not to exceed \$50,000,000 of funds made available in this Act to the National Aeronautics and Space Administration between such appropriations or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation to which transferred: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen requirements, than those for which originally appropriated: Provided further, That the Administrator of the National Aeronautics and Space Administration shall notify the Congress promptly of all transfers made pursuant to this authority.

Notwithstanding section 202 of Public Law 104-99, section 212 of Public Law 104-99 shall remain in effect as if enacted as part of this Act.

Within its Mission to Planet Earth program, NASA is urged to fund Phase A studies for a radar satellite initiative.

NATIONAL CREDIT UNION ADMINISTRATION  
CENTRAL LIQUIDITY FACILITY

During fiscal year 1996, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions as authorized by the National Credit Union Central Liquidity Facility Act (12 U.S.C. 1795) shall not exceed \$600,000,000: Provided, That administrative expenses of the Central Liquidity Facility in fiscal year 1996 shall not exceed \$560,000.

NATIONAL SCIENCE FOUNDATION  
RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-1875), and the Act to establish a National Medal of Science (42 U.S.C. 1880-1881); services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; \$2,314,000,000, of which not to exceed \$235,000,000 shall remain available until expended for Polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program; the balance to remain available until September 30, 1997: Provided, That receipts for scientific support services and materials furnished by the National Science Foundation supported research facilities may be credited to this appropriation: Provided further, That to the extent that the amount appropriated is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally.

MAJOR RESEARCH EQUIPMENT

For necessary expenses in carrying out major construction projects, and related expenses, pursuant to the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-1875), \$70,000,000, to remain available until expended.

ACADEMIC RESEARCH INFRASTRUCTURE

For necessary expenses in carrying out an academic research infrastructure program pursuant to the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-1875), including services as authorized by 5 U.S.C. 3109 and rental of conference rooms in the District of Columbia, \$100,000,000, to remain available until September 30, 1997.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science and engineering education and human resources programs and activities pursuant to the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-1875), including services as authorized by 5 U.S.C. 3109 and rental of conference rooms in the District of Columbia, \$599,000,000, to remain available until September 30, 1997: Provided, That to the extent that the amount of this appropriation is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally.

SALARIES AND EXPENSES

For necessary salaries and expenses in carrying out the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-1875); services authorized by 5 U.S.C. 3109;

hire of passenger motor vehicles; not to exceed \$9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); rental of conference rooms in the District of Columbia; reimbursement of the General Services Administration for security guard services; \$127,310,000: Provided, That contracts may be entered into under salaries and expenses in fiscal year 1996 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$4,490,000, to remain available until September 30, 1997.

#### NATIONAL SCIENCE FOUNDATION HEADQUARTERS RELOCATION

For necessary support of the relocation of the National Science Foundation, \$5,200,000: Provided, That these funds shall be used to reimburse the General Services Administration for services and related acquisitions in support of relocating the National Science Foundation.

#### NEIGHBORHOOD REINVESTMENT CORPORATION PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101-8107), \$38,667,000.

#### SELECTIVE SERVICE SYSTEM SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by law (5 U.S.C. 4101-4118) for civilian employees; and not to exceed \$1,000 for official reception and representation expenses; \$22,930,000: Provided, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever he deems such action to be necessary in the interest of national defense: Provided further, That none of the funds appropriated by the Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

#### TITLE IV CORPORATIONS

Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Act as may be necessary in carrying out the programs set forth in the budget for 1996 for such corporation or agency except as hereinafter provided: Provided, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

#### RESOLUTION TRUST CORPORATION OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$11,400,000.

#### TITLE V GENERAL PROVISIONS

SEC. 501. Where appropriations in titles I, II, and III of this Act are expendable for travel expenses and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amounts set forth therefor in the budget estimates submitted for the appropriations: Provided, That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards of the Selective Service System; to travel performed directly in connection with care and treatment of medical beneficiaries of the Department of Veterans Affairs; to travel performed in connection with major disasters or emergencies declared or determined by the President under the provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; to travel performed by the Offices of Inspector General in connection with audits and investigations; or to payments to interagency motor pools where separately set forth in the budget schedules: Provided further, That if appropriations in titles I, II, and III exceed the amounts set forth in budget estimates initially submitted for such appropriations, the expenditures for travel may correspondingly exceed the amounts therefor set forth in the estimates in the same proportion.

SEC. 502. Appropriations and funds available for the administrative expenses of the Department of Housing and Urban Development and the Selective Service System shall be available in the current fiscal year for purchase of uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109.

SEC. 503. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Resolution Trust Corporation, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811-1831).

SEC. 504. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 505. No funds appropriated by this Act may be expended—

(1) pursuant to a certification of an officer or employee of the United States unless—

(A) such certification is accompanied by, or is part of, a voucher or abstract which describes the payee or payees and the items or services for which such expenditure is being made, or

(B) the expenditure of funds pursuant to such certification, and without such a voucher or abstract, is specifically authorized by law; and

(2) unless such expenditure is subject to audit by the General Accounting Office or is specifically exempt by law from such audit.

SEC. 506. None of the funds provided in this Act to any department or agency may be expended for the transportation of any officer or employee of such department or agency between his domicile and his place of employment, with the exception of any officer or employee authorized such transportation under title 31, United States Code, section 1344.

SEC. 507. None of the funds provided in this Act may be used for payment, through grants or contracts, to recipients that do not share in the cost of conducting research resulting from proposals not specifically solicited by the Government: Provided, That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research.

SEC. 508. None of the funds provided in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of the salary of a consultant (whether retained by the Federal Government or a grantee) at more than the daily equivalent of the rate paid for Level IV of the Executive Schedule, unless specifically authorized by law.

SEC. 509. None of the funds in this Act shall be used to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings. Nothing herein affects the authority of the Consumer Product Safety Commission pursuant to section 7 of the Consumer Product Safety Act (15 U.S.C. 2056 et seq.).

SEC. 510. Except as otherwise provided under existing law or under an existing Executive order issued pursuant to an existing law, the obligation or expenditure of any appropriation under this Act for contracts for any consulting service shall be limited to contracts which are (1) a matter of public record and available for public inspection, and (2) thereafter included in a publicly available list of all contracts entered into within twenty-four months prior to the date on which the list is made available to the public and of all contracts on which performance has not been completed by such date. The list required by the preceding sentence shall be updated quarterly and shall include a narrative description of the work to be performed under each such contract.

SEC. 511. Except as otherwise provided by law, no part of any appropriation contained in this Act shall be obligated or expended by any executive agency, as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.) for a contract for services unless such executive agency (1) has awarded and entered into such contract in full compliance with such Act and the regulations promulgated thereunder; and (2) requires any report prepared pursuant to such contract, including plans, evaluations, studies, analyses and manuals, and any report prepared by the agency which is substantially derived from or substantially includes any report prepared pursuant to such contract, to contain information concerning (A) the contract pursuant to which the report was prepared, and (B) the contractor who prepared the report pursuant to such contract.

SEC. 512. Except as otherwise provided in section 506, none of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency.

SEC. 513. None of the funds provided in this Act to any department or agency shall be obligated or expended to procure passenger automobiles as defined in 15 U.S.C. 2001 with an EPA estimated miles per gallon average of less than 22 miles per gallon.

SEC. 514. Such sums as may be necessary for fiscal year 1996 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 515. None of the funds appropriated in title I of this Act shall be used to enter into any new lease of real property if the estimated annual rental is more than \$300,000 unless the Secretary submits, in writing, a report to the Committees on Appropriations of the Congress and a period of 30 days has expired following the date on which the report is received by the Committees on Appropriations.

SEC. 516. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 517. None of the funds appropriated in this Act may be used to implement any cap on reimbursements to grantees for indirect costs, except as published in Office of Management and Budget Circular A-21.

SEC. 518. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 519. In fiscal year 1996, the Director of the Federal Emergency Management Agency shall sell the disaster housing inventory of mobile homes and trailers, and the proceeds thereof shall be deposited in the Treasury.

SEC. 520. Such funds as may be necessary to carry out the orderly termination of the Office of Consumer Affairs shall be made available from funds appropriated to the Department of Health and Human Services for fiscal year 1996.

SEC. 521. Upon enactment of this Act, the provisions of section 201(b) of Public Law 104-99, except the last proviso, are superseded.

This Act may be cited as the "Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996".

## **TITLE II—SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1996**

### **CHAPTER 1**

#### **DEPARTMENT OF AGRICULTURE**

##### **FOOD SAFETY AND INSPECTION SERVICE**

Of the funds appropriated by Public Law 104-37 or otherwise made available to the Food Safety and Inspection Service for fiscal year 1996, not less than \$363,000,000 shall be available for salaries and benefit of in-plant personnel: Provided, That this limitation shall not apply if the Secretary of Agriculture certifies to the House and Senate Committees on Appropriations that a lesser amount will be adequate to fully meet in-plant inspection requirements for the fiscal year.

##### **NATURAL RESOURCES CONSERVATION SERVICE WATERSHED AND FLOOD PREVENTION OPERATIONS**

For an additional amount for "Watershed and Flood Prevention Operations" to repair damages to waterways and watersheds resulting from flooding in the Pacific Northwest, the Northeast blizzards and floods, and other natural disasters, \$80,514,000, to remain available until expended: Provided, That if the Secretary determines that the cost of land and farm structures restoration exceeds the fair market value of an affected cropland, the Secretary may use sufficient amounts, not to exceed \$7,288,000, from funds provided under this heading to accept bids from willing sellers to provide conservation easements for such cropland inundated by floods as provided for by the Wetlands Reserve Program, authorized by subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837): Provided further, That the entire amount shall be available only to the extent that an official budget request for \$80,514,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: Provided further, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

##### **CONSOLIDATED FARM SERVICE AGENCY EMERGENCY CONSERVATION PROGRAM**

For necessary expenses to carry into effect the program authorized in sections 401, 402, and 404 of title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201-2205) for expenses resulting from floods in the Pacific Northwest and other natural disasters, \$30,000,000, to remain available until expended, as authorized by 16 U.S.C. 2204: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

##### **RURAL HOUSING AND COMMUNITY DEVELOPMENT SERVICE**

##### **RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT**

For an additional amount for "Rural housing insurance fund program account" for the additional cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, for emergency expenses resulting from flooding in the Pacific Northwest, the Northeast blizzards and floods, Hurricane Marilyn, and other natural disasters, to be available from funds in the rural housing insurance fund as follows: \$5,000,000 for section 502 direct loans and \$1,500,000 for section 504 housing repair loans, to remain available until expended: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

##### **VERY LOW-INCOME HOUSING REPAIR GRANTS**

For an additional amount for "Very low-income housing repair grants" under section 504 of the Housing Act of 1949, as amended, for emergency expenses resulting from flooding in the Pacific Northwest, the Northeast blizzards and floods, Hurricane Marilyn, and other natural disasters, \$1,100,000, to remain available until expended: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

##### **RURAL UTILITIES SERVICE**

##### **RURAL UTILITIES ASSISTANCE PROGRAM**

For an additional amount for the "Rural Utilities Assistance Program" for the cost of direct loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, to assist in the recovery from flooding in the Pacific Northwest and other natural disasters, \$11,000,000, to remain available until expended: Provided, That such funds may be available for emergency community water assistance grants as authorized by 7 U.S.C. 1926b: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

##### **GENERAL PROVISIONS**

##### **SEC. 2001. SEAFOOD SAFETY.**

Notwithstanding any other provision of law, any domestic fish or fish product produced in compliance with food safety standards or procedures accepted by the Food and Drug Administration as satisfying the requirements of the "Procedures for the Safe and Sanitary Processing and Importing of Fish and Fish Products" (published by the Food and Drug Administration as a final regulation in the Federal Register of December 18, 1995), shall be deemed to have met any inspection requirements of the Department of Agriculture or other Federal agency for any Federal commodity purchase program, including the program authorized under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) except that the Department of Agriculture or other

Federal agency may utilize lot inspection to establish a reasonable degree of certainty that fish or fish products purchased under a Federal commodity purchase program, including the program authorized under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), meet Federal product specifications.

SEC. 2002. Notwithstanding any other provision of law, the Secretary of Agriculture is hereby authorized to make or guarantee an operating loan under Subtitle B or an emergency loan under Subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922 et seq.), as in effect prior to April 4, 1996, to a loan applicant who was less than 90 days delinquent on April 4, 1996, if the loan applicant had submitted an application for the loan prior to April 5, 1996.

### **CHAPTER 1A**

#### **FOOD AND DRUG EXPORT REFORM**

##### **SEC. 2101. SHORT TITLE; REFERENCE.**

(a) SHORT TITLE.—This chapter may be cited as the "FDA Export Reform and Enhancement Act of 1996".

(b) REFERENCE.—Wherever in this chapter (other than in section 2104) an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Federal Food, Drug, and Cosmetic Act. (21 U.S.C. 321 et seq.)

##### **SEC. 2102. EXPORT OF DRUGS AND DEVICES.**

(a) IMPORTS FOR EXPORT.—Section 801 (21 U.S.C. 381) is amended—

(1) in subsection (d), by adding at the end thereof the following:

"(3) No component of a drug, no component part or accessory of a device which is ready or suitable for use for health-related purposes, and no food additive, color additive, or dietary supplement, including a product in bulk form, shall be excluded from importation into the United States under subsection (a) if—

"(A) the importer of such article of a drug or device or importer of the food additive, color additive, or dietary supplement submits a statement to the Secretary, at the time of initial importation, that such article of a drug or device, food additive, color additive, or dietary supplement is intended to be incorporated by the initial owner or consignee into a drug, biological product, device, food, food additive, color additive, or dietary supplement that will be exported by such owner or consignee from the United States in accordance with section 801(e) or 802 or section 351(h) of the Public Health Service Act;

"(B) the initial owner or consignee responsible for such imported article maintains records that identify the use of such imported article and upon request of the Secretary submits a report that provides an accounting of the exportation or the disposition of the imported article, including portions that have been destroyed, and the manner in which such person complied with the requirements of this paragraph; and

"(C) any imported component, part, or accessory of a drug or device and any food additive, color additive, or dietary supplement not incorporated as described in subparagraph (A) is destroyed or exported by the owner or consignee."

"(4) The importation into the United States of blood, blood components, source plasma, or source leukocytes or of a component, accessory, or part thereof is not permitted pursuant to paragraph (3) unless the importation complies with section 351(a) of the Public Health Service Act or the Secretary permits the importation under appropriate circumstances and conditions, as determined by the Secretary. The importation of tissue or a component or part of tissue is not permitted pursuant to paragraph (3) unless the importation complies with section 361 of the Public Health Service Act."

(b) EXPORT OF CERTAIN PRODUCTS.—Section 801 (21 U.S.C. 381) is amended—

(1) in subsection (e)(1), by striking the second sentence;



(2) in subsection (e)(2)—

(A) by striking "the Secretary" and inserting "either (i) the Secretary"; and

(B) by inserting before the period at the end thereof the following: "or (ii) the device is eligible for export under section 802"; and

(3) in subsection (e), by adding at the end thereof the following:

"(3) A new animal drug that requires approval under section 512 shall not be exported pursuant to paragraph (1) if such drug has been banned in the United States.

"(4)(A) Any person who exports a drug, animal drug, or device may request that the Secretary—

"(i) certify in writing that the exported drug, animal drug, or device meets the requirements of paragraph (1) or section 802; or

"(ii) certify in writing that the drug, animal drug, or device being exported meets the applicable requirements of this Act upon a showing that the drug or device meets the applicable requirements of this Act.

The Secretary shall issue such a certification within 20 days of the receipt of a request for such certification.

"(B) If the Secretary issues a written export certification within the 20 days prescribed by subparagraph (A), a fee for such certification may be charged but shall not exceed \$175 for each certification. Fees collected for a fiscal year pursuant to this subparagraph shall be credited to the appropriation account for salaries and expenses of the Food and Drug Administration and shall be available in accordance with appropriations Acts until expended without fiscal year limitation. Such fees shall be collected in each fiscal year in an amount equal to the amount specified in appropriations Acts for such fiscal year and shall only be collected and available for the costs of the Food and Drug Administration."

(c) LABELING OF EXPORTED DRUGS.—Section 801 (21 U.S.C. 381) is amended by adding at the end the following:

"(f)(1) If a drug being exported in accordance with subsection (e) is being exported to a country that has different or additional labeling requirements or conditions for use and such country requires the drug to be labeled in accordance with those requirements or uses, such drug may be labeled in accordance with such requirements and conditions for use in the country to which such drug is being exported if it also is labeled in accordance with the requirements of this Act.

"(2) If, pursuant to paragraph (1), the labeling of an exported drug includes conditions for use that have not been approved under this Act, the labeling must state that such conditions for use have not been approved under this Act."

(d) EXPORT OF CERTAIN UNAPPROVED DRUGS AND DEVICES.—

(1) AMENDMENT.—Section 802 (21 U.S.C. 382) is amended to read as follows:

"EXPORTS OF CERTAIN UNAPPROVED PRODUCTS

"SEC. 802. (a) A drug or device—

"(1) which, in the case of a drug—

"(A)(i) requires approval by the Secretary under section 505 before such drug may be introduced or delivered for introduction into interstate commerce; or

"(ii) requires licensing by the Secretary under section 351 of the Public Health Service Act or by the Secretary of Agriculture under the Act of March 4, 1913 (known as the Virus-Serum Toxin Act) before it may be introduced or delivered for introduction into interstate commerce;

"(B) does not have such approval or license; and

"(C) is not exempt from such sections or Act; and

"(2) which, in the case of a device—

"(A) does not comply with an applicable requirement under section 514 or 515;

"(B) under section 520(g) is exempt from either such section; or

"(C) is a banned device under section 516, is adulterated, misbranded, and in violation of

such sections or Act unless the export of the drug or device is, except as provided in subsection (f), authorized under subsection (b), (c), (d), or (e) or section 801(e)(2). If a drug or device described in paragraphs (1) and (2) may be exported under subsection (b) and if an application for such drug or device under section 505 or 515 or section 351 of the Public Health Service Act was disapproved, the Secretary shall notify the appropriate public health official of the country to which such drug will be exported of such disapproval.

"(b)(1)(A) A drug or device described in subsection (a) may be exported to any country, if the drug or device complies with the laws of that country and has valid marketing authorization by the appropriate authority—

"(i) in Australia, Canada, Israel, Japan, New Zealand, Switzerland, or South Africa; or

"(ii) in the European Union or a country in the European Economic Area (the countries in the European Union and the European Free Trade Association) if the drug or device is marketed in that country or the drug or device is authorized for general marketing in the European Economic Area.

"(B) The Secretary may designate an additional country to be included in the list of countries described in clauses (i) and (ii) of subparagraph (A) if all of the following requirements are met in such country:

"(i) Statutory or regulatory requirements which require the review of drugs and devices for safety and effectiveness by an entity of the government of such country and which authorize the approval of only those drugs and devices which have been determined to be safe and effective by experts employed by or acting on behalf of such entity and qualified by scientific training and experience to evaluate the safety and effectiveness of drugs and devices on the basis of adequate and well-controlled investigations, including clinical investigations, conducted by experts qualified by scientific training and experience to evaluate the safety and effectiveness of drugs and devices.

"(ii) Statutory or regulatory requirements that the methods used in, and the facilities and controls used for—

"(I) the manufacture, processing, and packing of drugs in the country are adequate to preserve their identity, quality, purity, and strength; and

"(II) the manufacture, preproduction design validation, packing, storage, and installation of a device are adequate to assure that the device will be safe and effective.

"(iii) Statutory or regulatory requirements for the reporting of adverse reactions to drugs and devices and procedures to withdraw approval and remove drugs and devices found not to be safe or effective.

"(iv) Statutory or regulatory requirements that the labeling and promotion of drugs and devices must be in accordance with the approval of the drug or device.

"(v) The valid marketing authorization system in such country or countries is equivalent to the systems in the countries described in clauses (i) and (ii) of subparagraph (A).

The Secretary shall not delegate the authority granted under this subparagraph.

"(C) An appropriate country official, manufacturer, or exporter may request the Secretary to take action under subparagraph (B) to designate an additional country or countries to be added to the list of countries described in clauses (i) and (ii) of subparagraph (A) by submitting documentation to the Secretary in support of such designation. Any person other than a country requesting such designation shall include, along with the request, a letter from the country indicating the desire of such country to be designated.

"(2) A drug described in subsection (a) may be directly exported to a country which is not listed in clause (i) or (ii) of paragraph (1)(A) if—

"(A) the drug complies with the laws of that country and has valid marketing authorization

by the responsible authority in that country; and

"(B) the Secretary determines that all of the following requirements are met in that country:

"(i) Statutory or regulatory requirements which require the review of drugs for safety and effectiveness by an entity of the government of such country and which authorize the approval of only those drugs which have been determined to be safe and effective by experts employed by or acting on behalf of such entity and qualified by scientific training and experience to evaluate the safety and effectiveness of drugs on the basis of adequate and well-controlled investigations, including clinical investigations, conducted by experts qualified by scientific training and experience to evaluate the safety and effectiveness of drugs.

"(ii) Statutory or regulatory requirements that the methods used in, and the facilities and controls used for the manufacture, processing, and packing of drugs in the country are adequate to preserve their identity, quality, purity, and strength.

"(iii) Statutory or regulatory requirements for the reporting of adverse reactions to drugs and procedures to withdraw approval and remove drugs found not to be safe or effective.

"(iv) Statutory or regulatory requirements that the labeling and promotion of drugs must be in accordance with the approval of the drug.

"(3) The exporter of a drug described in subsection (a) which would not meet the conditions for approval under this Act or conditions for approval of a country described in clause (i) or (ii) of paragraph (1)(A) may petition the Secretary for authorization to export such drug to a country which is not described in clause (i) or (ii) of paragraph (1)(A) or which is not described in paragraph (2). The Secretary shall permit such export if—

"(A) the person exporting the drug—

"(i) certifies that the drug would not meet the conditions for approval under this Act or the conditions for approval of a country described in clause (i) or (ii) of paragraph (1)(A); and

"(ii) provides the Secretary with credible scientific evidence, acceptable to the Secretary, that the drug would be safe and effective under the conditions of use in the country to which it is being exported; and

"(B) the appropriate health authority in the country to which the drug is being exported—

"(i) requests approval of the export of the drug to such country;

"(ii) certifies that the health authority understands that the drug is not approved under this Act or in a country described in clause (i) or (ii) of paragraph (1)(A); and

"(iii) concurs that the scientific evidence provided pursuant to subparagraph (A) is credible scientific evidence that the drug would be reasonably safe and effective in such country.

The Secretary shall take action on a request for export of a drug under this paragraph within 60 days of receiving such request.

"(c) A drug or device intended for investigational use in any country described in clause (i) or (ii) of subsection (b)(1)(A) may be exported in accordance with the laws of that country and shall be exempt from regulation under section 505(i) or 520(g).

"(d) A drug or device intended for formulation, filling, packaging, labeling, or further processing in anticipation of market authorization in any country described in clause (i) or (ii) of subsection (b)(1)(A) may be exported for use in accordance with the laws of that country.

"(e)(1) A drug or device which is used in the diagnosis, prevention, or treatment of a tropical disease or another disease not of significant prevalence in the United States and which does not otherwise qualify for export under this section shall, upon approval of an application, be permitted to be exported if the Secretary finds that the drug or device will not expose patients in such country to an unreasonable risk of illness or injury and the probable benefit to health

from the use of the drug or device (under conditions of use prescribed, recommended, or suggested in the labeling or proposed labeling of the drug or device) outweighs the risk of injury or illness from its use, taking into account the probable risks and benefits of currently available drug or device treatment.

“(2) The holder of an approved application for the export of a drug or device under this subsection shall report to the Secretary—

“(A) the receipt of any credible information indicating that the drug or device is being or may have been exported from a country for which the Secretary made a finding under paragraph (1)(A) to a country for which the Secretary cannot make such a finding; and

“(B) the receipt of any information indicating adverse reactions to such drug.

“(3)(A) If the Secretary determines that—

“(i) a drug or device for which an application is approved under paragraph (1) does not continue to meet the requirements of such paragraph; or

“(ii) the holder of an approved application under paragraph (1) has not made the report required by paragraph (2),

the Secretary may, after providing the holder of the application an opportunity for an informal hearing, withdraw the approved application.

“(B) If the Secretary determines that the holder of an approved application under paragraph (1) or an importer is exporting a drug or device from the United States to an importer and such importer is exporting the drug or device to a country for which the Secretary cannot make a finding under paragraph (1) and such export presents an imminent hazard, the Secretary shall immediately prohibit the export of the drug or device to such importer, provide the person exporting the drug or device from the United States prompt notice of the prohibition, and afford such person an opportunity for an expedited hearing.

“(f) A drug or device may not be exported under this section—

“(1) if the drug or device is not manufactured, processed, packaged, and held in substantial conformity with current good manufacturing practice requirements or does not meet international standards as certified by an international standards organization recognized by the Secretary;

“(2) if the drug or device is adulterated under clause (1), (2)(A), or (3) of section 501(a) or subsection (c) or (d) of section 501;

“(3) if the requirements of subparagraphs (A) through (D) of section 801(e)(1) have not been met;

“(4)(A) if the drug or device is the subject of a notice by the Secretary or the Secretary of Agriculture of a determination that the probability of reimportation of the exported drug or device would present an imminent hazard to the public health and safety of the United States and the only means of limiting the hazard is to prohibit the export of the drug or device; or

“(B) if the drug or device presents an imminent hazard to the public health of the country to which the drug or device would be exported;

“(5) if the drug or device is not labeled—

“(A) in accordance with the requirements and conditions for use in—

“(i) the country in which the drug or device received valid marketing authorization under subsection (b); and

“(ii) the country to which the drug or device would be exported; and

“(B) in the language and units of measurement of the country to which the drug or device would be exported or in the language designated by such country; or

“(6) if the drug or device is not promoted in accordance with the labeling requirements set forth in paragraph (5).

In making a finding under paragraph (4)(B), (5), or (6) the Secretary shall consult with the

appropriate public health official in the affected country.

“(g) The exporter of a drug or device exported under subsection (b)(1) shall provide a simple notification to the Secretary identifying the drug or device when the exporter first begins to export such drug or device to any country listed in clause (i) or (ii) of subsection (b)(1)(A). When an exporter of a drug or device first begins to export a drug or device to a country which is not listed in clause (i) or (ii) of subsection (b)(1)(A), the exporter shall provide a simple notification to the Secretary identifying the drug or device and the country to which such drug or device is being exported. Any exporter of a drug or device shall maintain records of all drugs or devices exported and the countries to which they were exported.

“(h) For purposes of this section—

“(1) a reference to the Secretary shall in the case of a biological product which is required to be licensed under the Act of March 4, 1913 (37 Stat. 832–833) (commonly known as the Virus-Serum Toxin Act) be considered to be a reference to the Secretary of Agriculture, and

“(2) the term ‘drug’ includes drugs for human use as well as biologicals under section 351 of the Public Health Service Act or the Act of March 4, 1913 (37 Stat. 832–833) (commonly known as the Virus-Serum Toxin Act).”.

(2) CONFORMING AMENDMENTS.—Section 351(h) of the Public Health Service Act (42 U.S.C. 262(h)) is amended by striking “802(b)(A)” and inserting “802(b)(1)” and by striking “802(b)(4)” and inserting “802(b)(1)”.

#### SEC. 2103. PROHIBITED ACT.

Section 301 (21 U.S.C. 331) is amended—

(1) by redesignating the second subsection (u) as subsection (v); and

(2) by adding at the end thereof the following:

“(w) The making of a knowingly false statement in any record or report required or requested under subparagraph (A) or (B) of section 801(d)(3), the failure to submit or maintain records as required by sections 801(d)(3)(A) and 801(d)(3)(B), the release into interstate commerce of any article imported into the United States under section 801(d)(3) or any finished product made from such article (except for export in accordance with section 801(e) or 802 or section 351(h) of the Public Health Service Act), or the failure to export or destroy any component, part or accessory not incorporated into a drug, biological product or device that will be exported in accordance with section 801(e) or 802 or section 351(h) of the Public Health Service Act.”.

#### SEC. 2104. PARTIALLY PROCESSED BIOLOGICAL PRODUCTS.

Subsection (h) of section 351 of the Public Health Service Act (42 U.S.C. 262) is amended to read as follows:

“(h) A partially processed biological product which—

“(1) is not in a form applicable to the prevention, treatment, or cure of diseases or injuries of man;

“(2) is not intended for sale in the United States; and

“(3) is intended for further manufacture into final dosage form outside the United States,

shall be subject to no restriction on the export of the product under this Act or the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321 et seq.) if the product is manufactured, processed, packaged, and held in conformity with current good manufacturing practice requirements or meets international manufacturing standards as certified by an international standards organization recognized by the Secretary and meets the requirements of section 801(e)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(e)).”.

SEC. 2105. (a) IN GENERAL.—Any owner on the date of enactment of this Act of the right to market a nonsteroidal antiinflammatory drug that—

(1) contains a previously patented active agent;

(2) has been reviewed by the Federal Food and Drug Administration for a period of more than 120 months as a new drug application; and

(3) was approved as safe and effective by the Federal Food and Drug Administration on October 29, 1992,

shall be entitled, for the 2-year period beginning on October 29, 1997, to exclude others from making, using, offering for sale, selling, or importing into the United States such active agent, in accordance with section 154(a)(1) of title 35, United States Code.

(b) INFRINGEMENT.—Section 271 of title 35, United States Code shall apply to the infringement of the entitlement provided under subsection (a). No application described in section 271(e)(2)(A) of title 35, United States Code, regardless of purpose, may be submitted prior to the expiration of the entitlement provided under subsection (a).

(c) NOTIFICATION.—Not later than 30 days after the date of the enactment of this Act, any owner granted an entitlement under subsection (a) shall notify the Commissioner of Patents and Trademarks and the Secretary for Health and Human Services of such entitlement. Not later than 7 days after the receipt of such notice, the Commissioner and the Secretary shall publish an appropriate notice of the receipt of such notice.

#### CHAPTER 2

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES

#### DEPARTMENT OF COMMERCE

##### ECONOMIC DEVELOPMENT ADMINISTRATION

##### ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount for emergency expenses including mitigation relating to flooding and other natural disasters, \$18,000,000, to remain available until expended, for grants and related expenses pursuant to the Public Works and Economic Development Act of 1965, as amended, and for administrative expenses which may be transferred to and merged with the appropriations for “Salaries and expenses”: Provided, That the entire amount is hereby designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount shall be available only to the extent an official budget request, for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted to Congress.

##### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

##### CONSTRUCTION

For an additional amount for “Construction” for emergency expenses resulting from flooding in the Pacific Northwest and other natural disasters, \$7,500,000, to remain available until expended: Provided, That the entire amount is hereby designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

##### RELATED AGENCY

##### SMALL BUSINESS ADMINISTRATION

##### DISASTER LOANS PROGRAM ACCOUNT

For an additional amount for “Disaster Loans Program Account”, \$71,000,000 for the cost of direct loans, to remain available until expended:

Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974; and for administrative expenses to carry out the disaster loan program, \$29,000,000, to remain available until expended: Provided, That both amounts are hereby designated by Congress as emergency requirements pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

#### CHAPTER 3

##### DEPARTMENT OF DEFENSE—CIVIL

##### DEPARTMENT OF THE ARMY

##### CORPS OF ENGINEERS—CIVIL

##### GENERAL INVESTIGATIONS

Any funds heretofore appropriated and made available in Public Law 102-104 and Public Law 102-377 to carry out the provisions for the project for navigation, St. Louis Harbor, Missouri and Illinois; may be utilized by the Secretary of the Army in carrying out the Upper Mississippi and Illinois Waterway System Navigation Study, Iowa, Illinois, Missouri, Wisconsin, Minnesota, in fiscal year 1996 or until expended.

##### OPERATION AND MAINTENANCE, GENERAL

For an additional amount for "Operation and Maintenance, General", for the Northeast and Northwest floods of 1996, \$30,000,000, to remain available until expended: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

##### FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for "Flood Control and Coastal Emergencies", for the Northeast and Northwest floods of 1996 and other disasters, and to replenish funds transferred pursuant to Public Law 84-99, \$135,000,000, to remain available until expended: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

##### DEPARTMENT OF THE INTERIOR

##### BUREAU OF RECLAMATION

##### CONSTRUCTION PROGRAM

For an additional amount for the "Construction Program", \$9,000,000, to remain available until expended: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

##### DEPARTMENT OF ENERGY

##### ATOMIC ENERGY DEFENSE ACTIVITIES

##### OTHER DEFENSE ACTIVITIES

For an additional amount for "Other Defense Activities", for the Materials Protection, Control and Accounting program, \$15,000,000 to remain available until expended, not withstanding any other provision of law.

##### POWER MARKETING ADMINISTRATIONS

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

##### (TRANSFER OF FUNDS)

\$5,500,000 of funds appropriated under this heading in the Energy and Water Development Appropriations Act, 1995 (Public Law 103-316), shall be transferred to the appropriation account "Operation and Maintenance, Alaska Power Administration", to remain available until expended, only for necessary termination expenses.

#### CHAPTER 4

##### FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS

##### FUNDS APPROPRIATED TO THE PRESIDENT

##### UNANTICIPATED NEEDS

##### UNANTICIPATED NEEDS FOR DEFENSE OF ISRAEL AGAINST TERRORISM

For emergency expenses necessary to meet unanticipated needs for the acquisition and provision of goods, services, and/or grants for Israel necessary to support the eradication of terrorism in and around Israel, \$50,000,000: Provided, That none of the funds appropriated in this paragraph shall be available for obligation except through the regular notification procedures of the Committees on Appropriations: Provided further, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

##### MILITARY ASSISTANCE

##### FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for "Foreign Military Financing Program" for grants for Jordan pursuant to section 23 of the Arms Export Control Act, \$70,000,000: Provided, That such funds may be used for Jordan to finance transfers by lease of defense articles under chapter 6 of such Act.

#### CHAPTER 5

##### DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

##### DEPARTMENT OF THE INTERIOR

##### BUREAU OF LAND MANAGEMENT

##### CONSTRUCTION AND ACCESS

For an additional amount for "Construction and Access", \$5,000,000, to remain available until expended, to repair roads, culverts, bridges, facilities, fish and wildlife protective structures, and recreation sites, damaged due to the Pacific Northwest flooding: Provided, That Congress hereby designates this amount as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That \$758,000 of this amount shall be available only to the extent an official budget request, for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

##### OREGON AND CALIFORNIA GRANT LANDS

For an additional amount for "Oregon and California Grant Lands", \$35,000,000, to remain available until expended, to repair roads, culverts, bridges, facilities, fish and wildlife protective structures, and recreation sites, damaged due to the Pacific Northwest flooding: Provided, That Congress hereby designates this amount as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That \$15,452,000 of this amount shall be available only to the extent an official budget request, for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

##### UNITED STATES FISH AND WILDLIFE SERVICE

##### RESOURCE MANAGEMENT

For an additional amount for Resource Management, \$1,600,000, to remain available until expended, to provide technical assistance to the Natural Resource Conservation Service, the Federal Emergency Management Agency, the Unit-

ed States Army Corps of Engineers and other agencies on fish and wildlife habitat issues related to damage caused by floods, storms and other acts of nature: Provided, That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: Provided further, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

##### CONSTRUCTION

For an additional amount for "Construction", \$37,300,000, to remain available until expended, to repair damage caused by hurricanes, floods and other acts of nature, and to protect natural resources: Provided, That Congress hereby designates this amount as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That \$16,795,000 of this amount shall be available only to the extent an official budget request, for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

##### NATIONAL PARK SERVICE

##### CONSTRUCTION

For an additional amount for "Construction", \$47,000,000, to remain available until expended, to repair damage caused by hurricanes, floods and other acts of nature: Provided, That Congress hereby designates this amount as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That \$13,399,000 of this amount shall be available only to the extent an official budget request, for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

##### UNITED STATES GEOLOGICAL SURVEY

##### SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for "Surveys, investigations, and research", \$2,000,000, to remain available until September 30, 1997, for the costs related to hurricanes, floods and other acts of nature: Provided, That Congress hereby designates this amount as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That \$824,000 of this amount shall be available only to the extent an official budget request, for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

##### BUREAU OF INDIAN AFFAIRS

##### OPERATION OF INDIAN PROGRAMS

For an additional amount for "Operation of Indian Programs", \$500,000, to remain available until September 30, 1997, for emergency operations and repairs related to winter floods: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## CONSTRUCTION

For an additional amount for "Construction", \$16,500,000, to remain available until expended, for emergency repairs related to winter floods: Provided, That Congress hereby designates this amount as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That \$7,072,000 of this amount shall be available only to the extent an official budget request, for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

## TERRITORIAL AND INTERNATIONAL AFFAIRS

## ASSISTANCE TO TERRITORIES

For an additional amount for "Assistance to Territories", \$13,000,000, to remain available until expended, for recovery efforts from Hurricane Marilyn: Provided, That Congress hereby designates this amount as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That \$11,000,000 of this amount shall be available only to the extent an official budget request, for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

## DEPARTMENT OF AGRICULTURE

## FOREST SERVICE

## NATIONAL FOREST SYSTEM

For an additional amount for "National Forest System", \$26,600,000, to remain available until expended, to repair damage caused by hurricanes, floods and other acts of nature: Provided, That Congress hereby designates this amount as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That \$6,600,000 of this amount shall be available only to the extent an official budget request, for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

## CONSTRUCTION

For an additional amount for "Construction", \$60,800,000, to remain available until expended: Provided, That Congress hereby designates this amount as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That \$20,800,000 of this amount shall be available only to the extent an official budget request, for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

## CHAPTER 6

## DEPARTMENT OF DEFENSE

## MILITARY CONSTRUCTION

NORTH ATLANTIC TREATY ORGANIZATION  
SECURITY INVESTMENT PROGRAM

For an additional amount for "North Atlantic Treaty Organization Security Investment Program", \$37,500,000, to remain available until expended: Provided, That the Secretary of Defense may make additional contributions for the North Atlantic Treaty Organization as provided in section 2806 of title 10, United States Code: Provided further, That such amount is des-

igned by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## GENERAL PROVISION

## SEC. 2601. LAND CONVEYANCE, U.S. ARMY RESERVE, GREENSBORO, ALABAMA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to Hale County, Alabama, all right, title, and interest of the United States in and to a parcel of real property consisting of approximately 5.17 acres and located in Greensboro, Alabama, that was conveyed by Hale County, Alabama, to the United States by warranty deed dated September 12, 1988.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property conveyed under subsection (a) shall be as described in the deed referred to in that subsection.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

## CHAPTER 7

## DEPARTMENT OF DEFENSE—MILITARY

## MILITARY PERSONNEL

## MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", \$257,200,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", \$11,700,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", \$2,600,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", \$27,300,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## OPERATION AND MAINTENANCE

## OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", \$241,500,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", \$900,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", \$173,000,000: Provided, That such amount is designated by Con-

gress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", \$79,800,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## PROCUREMENT

## OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", \$26,000,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## GENERAL PROVISIONS

## (TRANSFER OF FUNDS)

SEC. 2701. Section 8005 of the Department of Defense Appropriations Act, 1996 (Public Law 104-61), is amended by striking out "\$2,400,000,000" and inserting in lieu thereof "\$3,100,000,000": Provided, That the additional transfer authority provided herein shall be available only to the extent funds are transferred, or have been transferred, during the current fiscal year to cover the costs associated with United States military operations in support of the NATO-led Peace Implementation Force (IFOR) in and around the former Yugoslavia.

SEC. 2702. Notwithstanding any other provision of law, funds appropriated in the Department of Defense Appropriations Act, 1996 (Public Law 104-61) under the heading "Aircraft Procurement, Air Force" may be obligated for advance procurement and procurement of F-15E aircraft.

SEC. 2703. (a) Funds appropriated under the heading, "Aircraft Procurement, Air Force", in Public Laws 104-61, 103-335 and 103-139 that are or remain available for C-17 airframes, C-17 aircraft engines, and complementary widebody aircraft/NDAA may be used for multiyear procurement contracts for C-17 aircraft: Provided, That the duration of multiyear contracts awarded under the authority of this subsection may be for a period not to exceed seven program years, notwithstanding section 2306b(k) of title 10, United States Code: Provided further, That the funds referred to in this subsection also may be used for advance procurement for up to ten C-17 aircraft in fiscal year 1997: Provided further, That the advance procurement funds referred to in this subsection may be used to fund Economic Order Quantities for up to eighty aircraft.

(b) Immediately upon enactment of this Act, the Secretary of Defense shall enter into negotiations with the C-17 aircraft and engine prime contractors for a baseline fixed price contract for multiyear procurement of eighty C-17 aircraft over a period of seven program years, and alternatives for multiyear procurement of eighty C-17 aircraft over a period of six program years.

(c) The authority to award a multiyear contract as provided in subsection (a) shall not be effective until the Secretary of Defense certifies to the Congressional defense committees that the Air Force will realize a savings of more than 5 percent in the total flyaway price for the eighty C-17 aircraft under a C-17 multiyear contract as compared to annual lot procurement of the aircraft at the maximum affordable rate profile approved in the November 3, 1995, Acquisition Decision Memorandum: Provided, That these savings shall exceed the estimates presented in the "Multiyear Procurement Criteria Program: C-17" documents submitted pursuant to the request for a fiscal year 1996 supplemental appropriation transmitted to the Congress.

(d) The authority under subsection (a) may not be used to execute a multiyear procurement

contract until the earlier of (1) May 24, 1996, or (2) the day after the date of the enactment of an Act that contains a provision authorizing the Department of Defense to enter into a multiyear contract for the C-17 aircraft program.

(e) Not later than May 24, 1996, the Secretary of Defense shall submit to the Congressional defense committees a report providing a detailed program plan for the six-year multiyear procurement program; such report also shall include the latest estimate of any additional savings potentially generated from such an accelerated multiyear procurement of C-17 aircraft.

SEC. 2704. In addition to the amounts made available in Public Law 104-61 under the heading "Research, Development, Test and Evaluation, Defense-Wide", \$50,000,000 is hereby appropriated and made available to continue the activities of the semiconductor manufacturing consortium known as Sematech.

(TRANSFER OF FUNDS)

SEC. 2705. Of the funds appropriated in title II of Public Law 104-61, under the heading "Overseas Humanitarian, Disaster, and Civic Aid", for training and activities related to the clearing of landmines for humanitarian purposes, up to \$15,000,000 may be transferred to "Operation and Maintenance, Defense-Wide", to be available for the payment of travel, transportation and subsistence expenses of Department of Defense personnel incurred in carrying out humanitarian assistance activities related to the detection and clearance of landmines.

SEC. 2706. Notwithstanding any other provision of law, \$15,000,000 of the amount made available in title II, under the heading "Operation and Maintenance, Army" in Public Law 104-61 shall be paid to National Presto Industries, Inc. for the purpose of environmental restoration at the National Presto Industries, Inc. site in Eau Claire, Wisconsin, in recognition of the 1988 Agreement between the Department of the Army and National Presto Industries, Inc.

SEC. 2707. (a)(1) Section 1177 of title 10, United States Code, relating to mandatory discharge or retirement of members of the Armed Forces infected with HIV-1 virus, is repealed.

(2) The table of sections at the beginning of chapter 59 of such title is amended by striking out the item relating to section 1177.

(b) Subsection (b) of section 567 of the National Defense Authorization Act for Fiscal Year 1996 is repealed.

SEC. 2708. In addition to the amounts made available in title II of Public Law 104-61, under the heading "Operation and Maintenance, Air Force", \$44,900,000 is hereby appropriated and made available for the operation and maintenance of 94 B-52H bomber aircraft in active status or in attrition reserve.

SEC. 2709. In addition to the amounts made available in title IV of Public Law 104-61, under the heading "Research, Development, Test and Evaluation, Navy", \$10,000,000 is hereby appropriated and made available for Shallow Water Mine Countermeasure Demonstrations, of which \$5,000,000 shall be made available for the Advanced Lightweight Influence Sweep System Development program.

(TRANSFER OF FUNDS)

SEC. 2710. Of the funds appropriated or otherwise made available in title VI of Public Law 104-61, under the heading "Defense Health Program", \$8,000,000 are transferred to and merged with funds appropriated or otherwise made available under title IV of that Act under the heading "Research, Development, Test and Evaluation, Army" and shall be available only for obligation and expenditure for advanced research into neurofibromatosis.

SEC. 2711. Of the funds available to the Department of Defense in title VI, Public Law 104-61, under the heading "Drug Interdiction and Counter-Drug Activities, Defense", \$220,000 shall be made available only for the procurement of Kevlar vests for personal protection of counter-drug personnel: Provided, That not-

withstanding any other provision of law, the Department is authorized to transfer these Kevlar vests to local counter-drug personnel in high crime areas.

SEC. 2712. Before the period at the end of Section 8105 of Public Law 104-61, insert the following: "Provided, That the Department of Defense shall release to the Department of the Air Force all such funds not later than May 31, 1996, and the Air Force shall obligate all such funds in compliance with this section not later than June 30, 1996".

CHAPTER 8

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

PAYMENTS TO AIR CARRIERS

The first proviso under the head "Payments to Air Carriers" in Title I of the Department of Transportation and Related Agencies Appropriations Act, 1996 (Public Law 104-50), is amended to read as follows: "Provided, That none of the funds in this Act shall be available for the implementation or execution of programs in excess of \$22,600,000 from the Airport and Airway Trust Fund for the Payments to Air Carriers program in fiscal year 1996".

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

(HIGHWAY TRUST FUND)

For the Emergency Fund authorized by 23 U.S.C. 125 to cover expenses arising from the January 1996 flooding in the Mid-Atlantic, Northeast, and Northwest States and other disasters, \$300,000,000, to be derived from the Highway Trust Fund and to remain available until expended: Provided, That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: Provided further, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the provisions of 23 U.S.C. 125(b)(1) shall not apply to projects relating to the January 1996 flooding in the Mid-Atlantic, Northeast, and Northwest States.

FEDERAL TRANSIT ADMINISTRATION

MASS TRANSIT CAPITAL FUND

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For an additional amount for payment of obligations incurred in carrying out 49 U.S.C. 5338(b) administered by the Federal Transit Administration, \$375,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

OTHER INDEPENDENT AGENCIES

PANAMA CANAL COMMISSION

PANAMA CANAL REVOLVING FUND

For an additional amount for administrative expenses, \$2,000,000, to be derived from the Panama Canal Revolving Fund.

GENERAL PROVISIONS

SEC. 2801. Notwithstanding any other provision of law, limitations deducted pursuant to the provisions of Section 310 of the Department of Transportation and Related Agencies Appropriations Act, 1996, for discretionary programs and the limitation on general operating expenses for both annual and no-year programs, not to exceed \$28,000,000 shall be available for making obligations for construction of a new Hannibal Bridge in Hannibal, Missouri: Provided further, That such limitation shall be restored to categories from which it was transferred before making redistribution of obligation in August of 1996 as provided by Section 310 of the Act.

SEC. 2802. Notwithstanding any other provision of law, of the funds identified for distribution to the State of Vermont and the Marble Valley Regional Transit District in the matter under the heading "HIGHWAY TRUST FUND", under the heading "LIMITATION ON OBLIGATIONS", under the heading "DISCRETIONARY GRANTS" in the explanatory statement for the conference report to accompany H.R. 2002, House of Representatives report numbered 104-286, an amount not to exceed \$3,500,000 may be used for improvements to support commuter rail operations on the Clarendon-Pittsford rail line between White Hall, New York, and Rutland, Vermont.

SEC. 2803. In amending parts 119, 121, 125, or 135 of title 14, Code of Federal Regulations in a manner affecting intrastate aviation in Alaska, the Administrator of the Federal Aviation Administration shall consider the extent to which Alaska is not served by transportation modes other than aviation, and shall establish such regulatory distinctions as the Administrator deems appropriate effective through June 1, 1997.

SEC. 2804. Notwithstanding any other provision of law, \$23,909,325 funds made available under Public Law 103-122 together with \$21,534,347 funds made available under Public Law 103-331 for the "Chicago Central Area Circulator Project" shall be available only for the purposes of constructing a 5.2 mile light rail loop within the downtown Chicago business district as described in the full funding grant agreement signed on December 15, 1994, and shall not be available for any other purposes.

CHAPTER 9

TREASURY, POSTAL SERVICE AND

GENERAL GOVERNMENT

EXECUTIVE OFFICE OF THE PRESIDENT  
AND

FUNDS APPROPRIATED TO THE  
PRESIDENT

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Salaries and Expenses," \$3,400,000.

GENERAL PROVISIONS

SEC. 2901. Title I of Public Law 104-52 is hereby amended by deleting "not to exceed \$1,406,000," under the heading "CUSTOMS SERVICES AT SMALL AIRPORTS".

SEC. 2902. Title I of Public Law 104-52 is hereby amended by adding the following new section under the heading "ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE":

"SEC. 3. The funds provided in this Act shall be used to provide a level of service, staffing, and funding for Taxpayer Services Division operations which is not less than that provided in fiscal year 1995."

SEC. 2903. Title III of Public Law 104-52 is hereby amended by adding the following proviso before the last period under the heading "OFFICE OF NATIONAL DRUG CONTROL POLICY, SALARIES AND EXPENSES": "Provided, That of the amounts available to the Counter-Drug Technology Assessment Center, no less than \$1,000,000 shall be dedicated to conferences on model state drug laws".

SEC. 2904. COMPOSITION OF NATIONAL COMMISSION ON RESTRUCTURING THE INTERNAL REVENUE SERVICE.

(a) IN GENERAL.—Section 637(b)(2) of the Treasury, Postal Service, and General Government Appropriations Act, 1996 (Public Law 104-52, 109 Stat. 509) is amended—

(1) by striking "thirteen" and inserting "seventeen"; and

(2) in subparagraphs (B) and (D)—

(A) by striking "Two" and inserting "Four", and

(B) by striking "one from private life" and inserting "three from private life".

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect as if included in the provisions of the Treasury, Postal Service, and General Government Appropriations Act, 1996.

#### CHAPTER 10

### DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOP- MENT AND INDEPENDENT AGENCIES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

#### COMMUNITY PLANNING AND DEVELOPMENT

##### COMMUNITY DEVELOPMENT GRANTS

For an additional amount for "Community development grants", \$50,000,000, to remain available until September 30, 1998, for emergency expenses and repairs related to recent Presidentially declared flood disasters, including up to \$10,000,000 which may be for rental subsidy contracts under the section 8 existing housing certificate program and the housing voucher program under section 8 of the United States Housing Act of 1937, as amended, except that such amount shall be available only for temporary housing assistance, not in excess of one year in duration, and shall not be subject to renewal: Provided, That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: Provided further, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

#### FEDERAL EMERGENCY MANAGEMENT AGENCY DISASTER RELIEF

##### (INCLUDING TRANSFER OF FUNDS)

Of the funds made available under this heading in Public Law 104-19 up to \$104,000,000 may be transferred to the Disaster Assistance Direct Loan Program Account for the cost of direct loans as authorized under section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): Provided, That such transfer may be made to subsidize gross obligations for the principal amount of direct loans not to exceed \$119,000,000 under section 417 of the Stafford Act: Provided further, That any such transfer of funds shall be made only upon certification by the Director of the Federal Emergency Management Agency that all requirements of section 417 of the Stafford Act will be complied with: Provided further, That the entire amount of this appropriation shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: Provided further, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

#### GENERAL PROVISIONS

SEC. 21101. In administering funds provided in this title for domestic assistance, the Secretary of any involved department may waive or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or any use of the recipient of these funds, except for the requirement related to civil rights, fair housing and nondiscrimination, the environment, and labor standards, upon finding that such waiver is required to facilitate the obligation and use of such funds would not be in-

consistent with the overall purpose of the statute or regulation.

SEC. 21102. No part of any appropriation contained in this title shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 21103. Notwithstanding section 106 of Public Law 104-99, sections 118, 121, and 129 of Public Law 104-99 shall remain in effect as if enacted as part of this Act.

SEC. 21104. The President may make available funds for assistance activities under titles II and IV of P.L. 104-107, beginning immediately upon enactment of this Act and without regard to monthly apportionment limitations, notwithstanding the provisions of section 518A of such Act, if he determines and reports to the Congress that the effects of the restrictions contained in that section would be that the demand for family planning services would be less likely to be met and that there would be a significant increase in abortions than would otherwise be the case in the absence of such restrictions: Provided, That none of the funds appropriated or otherwise made available in P.L. 104-107 may be made available for obligation for the major foreign donor federation of international population assistance except through the regular notifications procedures of the Committees on Appropriations.

This title may be cited as the "Supplemental Appropriations Act of 1996".

#### TITLE III

### RESCISSIONS AND OFFSETS

#### CHAPTER 1

### ENERGY AND WATER DEVELOPMENT

#### SUBCHAPTER A—UNITED STATES ENRICHMENT CORPORATION PRIVATIZATION

##### SEC. 3101. SHORT TITLE.

This subchapter may be cited as the "USEC Privatization Act".

##### SEC. 3102. DEFINITIONS.

For purposes of this subchapter:

(1) The term "AVLIS" means atomic vapor laser isotope separation technology.

(2) The term "Corporation" means the United States Enrichment Corporation and, unless the context otherwise requires, includes the private corporation and any successor thereto following privatization.

(3) The term "gaseous diffusion plants" means the Paducah Gaseous Diffusion Plant at Paducah, Kentucky and the Portsmouth Gaseous Diffusion Plant at Piketon, Ohio.

(4) The term "highly enriched uranium" means uranium enriched to 20 percent or more of the uranium-235 isotope.

(5) The term "low-enriched uranium" means uranium enriched to less than 20 percent of the uranium-235 isotope, including that which is derived from highly enriched uranium.

(6) The term "low-level radioactive waste" has the meaning given such term in section 2(9) of the Low-Level Radioactive Waste Policy Act (42 U.S.C. 2021b(9)).

(7) The term "private corporation" means the corporation established under section 3105.

(8) The term "privatization" means the transfer of ownership of the Corporation to private investors.

(9) The term "privatization date" means the date on which 100 percent of the ownership of the Corporation has been transferred to private investors.

(10) The term "public offering" means an underwritten offering to the public of the common stock of the private corporation pursuant to section 3104.

(11) The term "Russian HEU Agreement" means the Agreement Between the Government of the United States of America and the Government of the Russian Federation Concerning the Disposition of Highly Enriched Uranium Extracted from Nuclear Weapons, dated February 18, 1993.

(12) The term "Secretary" means the Secretary of Energy.

(13) The "Suspension Agreement" means the Agreement to Suspend the Antidumping Investigation on Uranium from the Russian Federation, as amended.

(14) The term "uranium enrichment" means the separation of uranium of a given isotopic content into 2 components, 1 having a higher percentage of a fissile isotope and 1 having a lower percentage.

##### SEC. 3103. SALE OF THE CORPORATION.

(a) **AUTHORIZATION.**—The Board of Directors of the Corporation, with the approval of the Secretary of the Treasury, shall transfer the interest of the United States in the United States Enrichment Corporation to the private sector in a manner that provides for the long-term viability of the Corporation, provides for the continuation by the Corporation of the operation of the Department of Energy's gaseous diffusion plants, provides for the protection of the public interest in maintaining a reliable and economical domestic source of uranium mining, enrichment and conversion services, and, to the extent not inconsistent with such purposes, secures the maximum proceeds to the United States.

(b) **PROCEEDS.**—Proceeds from the sale of the United States' interest in the Corporation shall be deposited in the general fund of the Treasury.

##### SEC. 3104. METHOD OF SALE.

(a) **AUTHORIZATION.**—The Board of Directors of the Corporation, with the approval of the Secretary of the Treasury, shall transfer ownership of the assets and obligations of the Corporation to the private corporation established under section 3105 (which may be consummated through a merger or consolidation effected in accordance with, and having the effects provided under, the law of the State of incorporation of the private corporation, as if the Corporation were incorporated thereunder).

(b) **BOARD DETERMINATION.**—The Board, with the approval of the Secretary of the Treasury, shall select the method of transfer and establish terms and conditions for the transfer that will provide the maximum proceeds to the Treasury of the United States and will provide for the long-term viability of the private corporation, the continued operation of the gaseous diffusion plants, and the public interest in maintaining reliable and economical domestic uranium mining and enrichment industries.

(c) **ADEQUATE PROCEEDS.**—The Secretary of the Treasury shall not allow the privatization of the Corporation unless before the sale date the Secretary of the Treasury determines that the method of transfer will provide the maximum proceeds to the Treasury consistent with the principles set forth in section 3103(a).

(d) **APPLICATION OF SECURITIES LAWS.**—Any offering or sale of securities by the private corporation shall be subject to the Securities Act of 1933 (15 U.S.C. 77a et seq.), the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.), and the provisions of the Constitution and laws of any State, territory, or possession of the United States relating to transactions in securities.

(e) **EXPENSES.**—Expenses of privatization shall be paid from Corporation revenue accounts in the United States Treasury.

##### SEC. 3105. ESTABLISHMENT OF PRIVATE CORPORATION.

(a) **INCORPORATION.**—(1) The directors of the Corporation shall establish a private for-profit corporation under the laws of a State for the purpose of receiving the assets and obligations of the Corporation at privatization and continuing the business operations of the Corporation following privatization.

(2) The directors of the Corporation may serve as incorporators of the private corporation and shall take all steps necessary to establish the private corporation, including the filing of articles of incorporation consistent with the provisions of this subchapter.

(3) Employees and officers of the Corporation (including members of the Board of Directors)



acting in accordance with this section on behalf of the private corporation shall be deemed to be acting in their official capacities as employees or officers of the Corporation for purposes of section 205 of title 18, United States Code.

(b) **STATUS OF THE PRIVATE CORPORATION.**—(1) The private corporation shall not be an agency, instrumentality, or establishment of the United States, a Government corporation, or a Government-controlled corporation.

(2) Except as otherwise provided by this subchapter, financial obligations of the private corporation shall not be obligations of, or guaranteed as to principal or interest by, the Corporation or the United States, and the obligations shall so plainly state.

(3) No action under section 1491 of title 28, United States Code, shall be allowable against the United States based on actions of the private corporation.

(c) **APPLICATION OF POST-GOVERNMENT EMPLOYMENT RESTRICTIONS.**—Beginning on the privatization date, the restrictions stated in section 207 (a), (b), (c), and (d) of title 18, United States Code, shall not apply to the acts of an individual done in carrying out official duties as a director, officer, or employee of the private corporation, if the individual was an officer or employee of the Corporation (including a director) continuously during the 45 days prior to the privatization date.

(d) **DISSOLUTION.**—In the event that the privatization does not occur, the Corporation will provide for the dissolution of the private corporation within 1 year of the private corporation's incorporation unless the Secretary of the Treasury or his delegate, upon the Corporation's request, agrees to delay any such dissolution for an additional year.

#### **SEC. 3106. TRANSFERS TO THE PRIVATE CORPORATION.**

Concurrent with privatization, the Corporation shall transfer to the private corporation—

(1) the lease of the gaseous diffusion plants in accordance with section 3107,

(2) all personal property and inventories of the Corporation,

(3) all contracts, agreements, and leases under section 3108(a),

(4) the Corporation's right to purchase power from the Secretary under section 3108(b),

(5) such funds in accounts of the Corporation held by the Treasury or on deposit with any bank or other financial institution as approved by the Secretary of the Treasury, and

(6) all of the Corporation's records, including all of the papers and other documentary materials, regardless of physical form or characteristics, made or received by the Corporation.

#### **SEC. 3107. LEASING OF GASEOUS DIFFUSION FACILITIES.**

(a) **TRANSFER OF LEASE.**—Concurrent with privatization, the Corporation shall transfer to the private corporation the lease of the gaseous diffusion plants and related property for the remainder of the term of such lease in accordance with the terms of such lease.

(b) **RENEWAL.**—The private corporation shall have the exclusive option to lease the gaseous diffusion plants and related property for additional periods following the expiration of the initial term of the lease.

(c) **EXCLUSION OF FACILITIES FOR PRODUCTION OF HIGHLY ENRICHED URANIUM.**—The Secretary shall not lease to the private corporation any facilities necessary for the production of highly enriched uranium but may, subject to the requirements of the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.), grant the Corporation access to such facilities for purposes other than the production of highly enriched uranium.

(d) **DOE RESPONSIBILITY FOR PREEXISTING CONDITIONS.**—The payment of any costs of decontamination and decommissioning, response actions, or corrective actions with respect to conditions existing before July 1, 1993, at the gaseous diffusion plants shall remain the sole responsibility of the Secretary.

(e) **ENVIRONMENTAL AUDIT.**—For purposes of subsection (d), the conditions existing before July 1, 1993, at the gaseous diffusion plants shall be determined from the environmental audit conducted pursuant to section 1403(e) of the Atomic Energy Act of 1954 (42 U.S.C. 2297c-2(e)).

(f) **TREATMENT UNDER PRICE-ANDERSON PROVISIONS.**—Any lease executed between the Secretary and the Corporation or the private corporation, and any extension or renewal thereof, under this section shall be deemed to be a contract for purposes of section 170d, of the Atomic Energy Act of 1954 (42 U.S.C. 2210(d)).

(g) **WAIVER OF EIS REQUIREMENT.**—The execution or transfer of the lease between the Secretary and the Corporation or the private corporation, and any extension or renewal thereof, shall not be considered to be a major Federal action significantly affecting the quality of the human environment for purposes of section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

#### **SEC. 3108. TRANSFER OF CONTRACTS.**

(a) **TRANSFER OF CONTRACTS.**—Concurrent with privatization, the Corporation shall transfer to the private corporation all contracts, agreements, and leases, including all uranium enrichment contracts, that were—

(1) transferred by the Secretary to the Corporation pursuant to section 1401(b) of the Atomic Energy Act of 1954 (42 U.S.C. 2297c(b)), or

(2) entered into by the Corporation before the privatization date.

(b) **NONTRANSFERABLE POWER CONTRACTS.**—The Corporation shall transfer to the private corporation the right to purchase power from the Secretary under the power purchase contracts for the gaseous diffusion plants executed by the Secretary before July 1, 1993. The Secretary shall continue to receive power for the gaseous diffusion plants under such contracts and shall continue to resell such power to the private corporation at cost during the term of such contracts.

(c) **EFFECT OF TRANSFER.**—(1) Notwithstanding subsection (a), the United States shall remain obligated to the parties to the contracts, agreements, and leases transferred under subsection (a) for the performance of its obligations under such contracts, agreements, or leases during their terms. Performance of such obligations by the private corporation shall be considered performance by the United States.

(2) If a contract, agreement, or lease transferred under subsection (a) is terminated, extended, or materially amended after the privatization date—

(A) the private corporation shall be responsible for any obligation arising under such contract, agreement, or lease after any extension or material amendment, and

(B) the United States shall be responsible for any obligation arising under the contract, agreement, or lease before the termination, extension, or material amendment.

(3) The private corporation shall reimburse the United States for any amount paid by the United States under a settlement agreement entered into with the consent of the private corporation or under a judgment, if the settlement or judgment—

(A) arises out of an obligation under a contract, agreement, or lease transferred under subsection (a), and

(B) arises out of actions of the private corporation between the privatization date and the date of a termination, extension, or material amendment of such contract, agreement, or lease.

(d) **PRICING.**—The Corporation may establish prices for its products, materials, and services provided to customers on a basis that will allow it to attain the normal business objectives of a profit making corporation.

#### **SEC. 3109. LIABILITIES.**

(a) **LIABILITY OF THE UNITED STATES.**—(1) Except as otherwise provided in this subchapter,

all liabilities arising out of the operation of the uranium enrichment enterprise before July 1, 1993, shall remain the direct liabilities of the Secretary.

(2) Except as provided in subsection (a)(3) or otherwise provided in a memorandum of agreement entered into by the Corporation and the Office of Management and Budget prior to the privatization date, all liabilities arising out of the operation of the Corporation between July 1, 1993, and the privatization date shall remain the direct liabilities of the United States.

(3) All liabilities arising out of the disposal of depleted uranium generated by the Corporation between July 1, 1993, and the privatization date shall become the direct liabilities of the Secretary.

(4) Any stated or implied consent for the United States, or any agent or officer of the United States, to be sued by any person for any legal, equitable, or other relief with respect to any claim arising from any action taken by any agent or officer of the United States in connection with the privatization of the Corporation is hereby withdrawn.

(5) To the extent that any claim against the United States under this section is of the type otherwise required by Federal statute or regulation to be presented to a Federal agency or official for adjudication or review, such claim shall be presented to the Department of Energy in accordance with procedures to be established by the Secretary. Nothing in this paragraph shall be construed to impose on the Department of Energy liability to pay any claim presented pursuant to this paragraph.

(6) The Attorney General shall represent the United States in any action seeking to impose liability under this subsection.

(b) **LIABILITY OF THE CORPORATION.**—Notwithstanding any provision of any agreement to which the Corporation is a party, the Corporation shall not be considered in breach, default, or violation of any agreement because of the transfer of such agreement to the private corporation under section 3108 or any other action the Corporation is required to take under this subchapter.

(c) **LIABILITY OF THE PRIVATE CORPORATION.**—Except as provided in this subchapter, the private corporation shall be liable for any liabilities arising out of its operations after the privatization date.

(d) **LIABILITY OF OFFICERS AND DIRECTORS.**—(1) No officer, director, employee, or agent of the Corporation shall be liable in any civil proceeding to any party in connection with any action taken in connection with the privatization if, with respect to the subject matter of the action, suit, or proceeding, such person was acting within the scope of his employment.

(2) This subsection shall not apply to claims arising under the Securities Act of 1933 (15 U.S.C. 77a. et seq.), the Securities Exchange Act of 1934 (15 U.S.C. 78a. et seq.), or under the Constitution or laws of any State, territory, or possession of the United States relating to transactions in securities.

#### **SEC. 3110. EMPLOYEE PROTECTIONS.**

(a) **CONTRACTOR EMPLOYEES.**—(1) Privatization shall not diminish the accrued, vested pension benefits of employees of the Corporation's operating contractor at the two gaseous diffusion plants.

(2) In the event that the private corporation terminates or changes the contractor at either or both of the gaseous diffusion plants, the plan sponsor or other appropriate fiduciary of the pension plan covering employees of the prior operating contractor shall arrange for the transfer of all plan assets and liabilities relating to accrued pension benefits of such plan's participants and beneficiaries from such plant to a pension plan sponsored by the new contractor or the private corporation or a joint labor-management plan, as the case may be.

(3) In addition to any obligations arising under the National Labor Relations Act (29

U.S.C. 151 et seq.), any employer (including the private corporation if it operates a gaseous diffusion plant without a contractor or any contractor of the private corporation) at a gaseous diffusion plant shall—

(A) abide by the terms of any unexpired collective bargaining agreement covering employees in bargaining units at the plant and in effect on the privatization date until the stated expiration or termination date of the agreement; or

(B) in the event a collective bargaining agreement is not in effect upon the privatization date, have the same bargaining obligations under section 8(d) of the National Labor Relations Act (29 U.S.C. 158(d)) as it had immediately before the privatization date.

(4) If the private corporation replaces its operating contractor at a gaseous diffusion plant, the new employer (including the new contractor or the private corporation if it operates a gaseous diffusion plant without a contractor) shall—

(A) offer employment to non-management employees of the predecessor contractor to the extent that their jobs still exist or they are qualified for new jobs, and

(B) abide by the terms of the predecessor contractor's collective bargaining agreement until the agreement expires or a new agreement is signed.

(5) In the event of a plant closing or mass lay-off (as such terms are defined in section 2101(a) (2) and (3) of title 29, United States Code) at either of the gaseous diffusion plants, the Secretary of Energy shall treat any adversely affected employee of an operating contractor at either plant who was an employee at such plant on July 1, 1993, as a Department of Energy employee for purposes of sections 3161 and 3162 of the National Defense Authorization Act for Fiscal Year 1993 (42 U.S.C. 7274h-7274i).

(6)(A) The Secretary and the private corporation shall cause the post-retirement health benefits plan provider (or its successor) to continue to provide benefits for eligible persons, as described under subparagraph (B), employed by an operating contractor at either of the gaseous diffusion plants in an economically efficient manner and at substantially the same level of coverage as eligible retirees are entitled to receive on the privatization date.

(B) Persons eligible for coverage under subparagraph (A) shall be limited to:

(i) persons who retired from active employment at one of the gaseous diffusion plants on or before the privatization date as vested participants in a pension plan maintained either by the Corporation's operating contractor or by a contractor employed prior to July 1, 1993, by the Department of Energy to operate a gaseous diffusion plant; and

(ii) persons who are employed by the Corporation's operating contractor on or before the privatization date and are vested participants in a pension plan maintained either by the Corporation's operating contractor or by a contractor employed prior to July 1, 1993, by the Department of Energy to operate a gaseous diffusion plant.

(C) The Secretary shall fund the entire cost of post-retirement health benefits for persons who retired from employment with an operating contractor prior to July 1, 1993.

(D) The Secretary and the Corporation shall fund the cost of post-retirement health benefits for persons who retire from employment with an operating contractor on or after July 1, 1993, in proportion to the retired person's years and months of service at a gaseous diffusion plant under their respective management.

(7)(A) Any suit under this subsection alleging a violation of an agreement between an employer and a labor organization shall be brought in accordance with section 301 of the Labor Management Relations Act (29 U.S.C. 185).

(B) Any charge under this subsection alleging an unfair labor practice violative of section 8 of the National Labor Relations Act (29 U.S.C. 158)

shall be pursued in accordance with section 10 of the National Labor Relations Act (29 U.S.C. 160).

(C) Any suit alleging a violation of any provision of this subsection, to the extent it does not allege a violation of the National Labor Relations Act, may be brought in any district court of the United States having jurisdiction over the parties, without regard to the amount in controversy or the citizenship of the parties.

(b) FORMER FEDERAL EMPLOYEES.—(1)(A) An employee of the Corporation that was subject to either the Civil Service Retirement System (referred to in this section as "CSRS") or the Federal Employees' Retirement System (referred to in this section as "FERS") on the day immediately preceding the privatization date shall elect—

(i) to retain the employee's coverage under either CSRS or FERS, as applicable, in lieu of coverage by the Corporation's retirement system, or

(ii) to receive a deferred annuity or lump-sum benefit payable to a terminated employee under CSRS or FERS, as applicable.

(B) An employee that makes the election under subparagraph (A)(ii) shall have the option to transfer the balance in the employee's Thrift Savings Plan account to a defined contribution plan under the Corporation's retirement system, consistent with applicable law and the terms of the Corporation's defined contribution plan.

(2) The Corporation shall pay to the Civil Service Retirement and Disability Fund—

(A) such employee deductions and agency contributions as are required by sections 8334, 8422, and 8423 of title 5, United States Code, for those employees who elect to retain their coverage under either CSRS or FERS pursuant to paragraph (1);

(B) such additional agency contributions as are determined necessary by the Office of Personnel Management to pay, in combination with the sums under subparagraph (A), the "normal cost" (determined using dynamic assumptions) of retirement benefits for those employees who elect to retain their coverage under CSRS pursuant to paragraph (1), with the concept of "normal cost" being used consistent with generally accepted actuarial standards and principles; and

(C) such additional amounts, not to exceed two percent of the amounts under subparagraphs (A) and (B), as are determined necessary by the Office of Personnel Management to pay the cost of administering retirement benefits for employees who retire from the Corporation after the privatization date under either CSRS or FERS, for their survivors, and for survivors of employees of the Corporation who die after the privatization date (which amounts shall be available to the Office of Personnel Management as provided in section 8348(a)(1)(B) of title 5, United States Code).

(3) The Corporation shall pay to the Thrift Savings Fund such employee and agency contributions as are required by section 8432 of title 5, United States Code, for those employees who elect to retain their coverage under FERS pursuant to paragraph (1).

(4) Any employee of the Corporation who was subject to the Federal Employee Health Benefits Program (referred to in this section as "FEHBP") on the day immediately preceding the privatization date and who elects to retain coverage under either CSRS or FERS pursuant to paragraph (1) shall have the option to receive health benefits from a health benefit plan established by the Corporation or to continue without interruption coverage under the FEHBP, in lieu of coverage by the Corporation's health benefit system.

(5) The Corporation shall pay to the Employees Health Benefits Fund—

(A) such employee deductions and agency contributions as are required by section 8906 (a)-(f) of title 5, United States Code, for those

employees who elect to retain their coverage under FEHBP pursuant to paragraph (4); and

(B) such amounts as are determined necessary by the Office of Personnel Management under paragraph (6) to reimburse the Office of Personnel Management for contributions under section 8906(g)(1) of title 5, United States Code, for those employees who elect to retain their coverage under FEHBP pursuant to paragraph (4).

(6) The amounts required under paragraph (5)(B) shall pay the Government contributions for retired employees who retire from the Corporation after the privatization date under either CSRS or FERS, for survivors of such retired employees, and for survivors of employees of the Corporation who die after the privatization date, with said amounts prorated to reflect only that portion of the total service of such employees and retired persons that was performed for the Corporation after the privatization date.

#### SEC. 3111. OWNERSHIP LIMITATIONS.

(a) SECURITIES LIMITATIONS.—No director, officer, or employee of the Corporation may acquire any securities, or any rights to acquire any securities of the private corporation on terms more favorable than those offered to the general public—

(1) in a public offering designed to transfer ownership of the Corporation to private investors,

(2) pursuant to any agreement, arrangement, or understanding entered into before the privatization date, or

(3) before the election of the directors of the private corporation.

(b) OWNERSHIP LIMITATION.—Immediately following the consummation of the transaction or series of transactions pursuant to which 100 percent of the ownership of the Corporation is transferred to private investors, and for a period of three years thereafter, no person may acquire, directly or indirectly, beneficial ownership of securities representing more than 10 percent of the total votes of all outstanding voting securities of the Corporation. The foregoing limitation shall not apply to—

(1) any employee stock ownership plan of the Corporation,

(2) members of the underwriting syndicate purchasing shares in stabilization transactions in connection with the privatization, or

(3) in the case of shares beneficially held in the ordinary course of business for others, any commercial bank, broker-dealer, or clearing agency.

#### SEC. 3112. URANIUM TRANSFERS AND SALES.

(a) TRANSFERS AND SALES BY THE SECRETARY.—The Secretary shall not provide enrichment services or transfer or sell any uranium (including natural uranium concentrates, natural uranium hexafluoride, or enriched uranium in any form) to any person except as consistent with this section.

(b) RUSSIAN HEU.—(1) On or before December 31, 1996, the United States Executive Agent under the Russian HEU Agreement shall transfer to the Secretary without charge title to an amount of uranium hexafluoride equivalent to the natural uranium component of low-enriched uranium derived from at least 18 metric tons of highly enriched uranium purchased from the Russian Executive Agent under the Russian HEU Agreement. The quantity of such uranium hexafluoride delivered to the Secretary shall be based on a tails assay of 0.30 U<sup>235</sup>. Uranium hexafluoride transferred to the Secretary pursuant to this paragraph shall be deemed under United States law for all purposes to be of Russian origin.

(2) Within 7 years of the date of enactment of this Act, the Secretary shall sell, and receive payment for, the uranium hexafluoride transferred to the Secretary pursuant to paragraph (1). Such uranium hexafluoride shall be sold—

(A) at any time for use in the United States for the purpose of overfueled;

(B) at any time for end use outside the United States;

(C) in 1995 and 1996 to the Russian Executive Agent at the purchase price for use in matched sales pursuant to the Suspension Agreement; or,

(D) in calendar year 2001 for consumption by end users in the United States not prior to January 1, 2002, in volumes not to exceed 3,000,000 pounds  $U_3O_8$  equivalent per year.

(3) With respect to all enriched uranium delivered to the United States Executive Agent under the Russian HEU Agreement on or after January 1, 1997, the United States Executive Agent shall, upon request of the Russian Executive Agent, enter into an agreement to deliver concurrently to the Russian Executive Agent an amount of uranium hexafluoride equivalent to the natural uranium component of such uranium. An agreement executed pursuant to a request of the Russian Executive Agent, as contemplated in this paragraph, may pertain to any deliveries due during any period remaining under the Russian HEU Agreement. The quantity of such uranium hexafluoride delivered to the Russian Executive Agent shall be based on a tails assay of 0.30  $U^{235}$ . Title to uranium hexafluoride delivered to the Russian Executive Agent pursuant to this paragraph shall transfer to the Russian Executive Agent upon delivery of such material to the Russian Executive Agent, with such delivery to take place at a North American facility designated by the Russian Executive Agent. Uranium hexafluoride delivered to the Russian Executive Agent pursuant to this paragraph shall be deemed under U.S. law for all purposes to be of Russian origin. Such uranium hexafluoride may be sold to any person or entity for delivery and use in the United States only as permitted in subsections (b)(5), (b)(6) and (b)(7) of this section.

(4) In the event that the Russian Executive Agent does not exercise its right to enter into an agreement to take delivery of the natural uranium component of any low-enriched uranium, as contemplated in paragraph (3), within 90 days of the date such low-enriched uranium is delivered to the United States Executive Agent, or upon request of the Russian Executive Agent, then the United States Executive Agent shall engage an independent entity through a competitive selection process to auction an amount of uranium hexafluoride or  $U_3O_8$  (in the event that the conversion component of such hexafluoride has previously been sold) equivalent to the natural uranium component of such low-enriched uranium. An agreement executed pursuant to a request of the Russian Executive Agent, as contemplated in this paragraph, may pertain to any deliveries due during any period remaining under the Russian HEU Agreement. Such independent entity shall sell such uranium hexafluoride in one or more lots to any person or entity to maximize the proceeds from such sales, for disposition consistent with the limitations set forth in this subsection. The independent entity shall pay to the Russian Executive Agent the proceeds of any such auction less all reasonable transaction and other administrative costs. The quantity of such uranium hexafluoride auctioned shall be based on a tails assay of 0.30  $U^{235}$ . Title to uranium hexafluoride auctioned pursuant to this paragraph shall transfer to the buyer of such material upon delivery of such material to the buyer. Uranium hexafluoride auctioned pursuant to this paragraph shall be deemed under United States law for all purposes to be of Russian origin.

(5) Except as provided in paragraphs (6) and (7), uranium hexafluoride delivered to the Russian Executive Agent under paragraph (3) or auctioned pursuant to paragraph (4), may not be delivered for consumption by end users in the United States either directly or indirectly prior to January 1, 1998, and thereafter only in accordance with the following schedule:

#### Annual Maximum Deliveries to End Users

Year:	(millions lbs. $U_3O_8$ equivalent)
1998 .....	2

	equivalent)
1999 .....	4
2000 .....	6
2001 .....	8
2002 .....	10
2003 .....	12
2004 .....	14
2005 .....	16
2006 .....	17
2007 .....	18
2008 .....	19
2009 and each year thereafter .....	20.

(6) Uranium hexafluoride delivered to the Russian Executive Agent under paragraph (3) or auctioned pursuant to paragraph (4) may be sold at any time as Russian-origin natural uranium in a matched sale pursuant to the Suspension Agreement, and in such case shall not be counted against the annual maximum deliveries set forth in paragraph (5).

(7) Uranium hexafluoride delivered to the Russian Executive Agent under paragraph (3) or auctioned pursuant to paragraph (4) may be sold at any time for use in the United States for the purpose of overfeeding in the operations of enrichment facilities.

(8) Nothing in this subsection (b) shall restrict the sale of the conversion component of such uranium hexafluoride.

(9) The Secretary of Commerce shall have responsibility for the administration and enforcement of the limitations set forth in this subsection. The Secretary of Commerce may require any person to provide any certifications, information, or take any action that may be necessary to enforce these limitations. The United States Customs Service shall maintain and provide any information required by the Secretary of Commerce and shall take any action requested by the Secretary of Commerce which is necessary for the administration and enforcement of the uranium delivery limitations set forth in this section.

(10) The President shall monitor the actions of the United States Executive Agent under the Russian HEU Agreement and shall report to the Congress not later than December 31 of each year on the effect the low-enriched uranium delivered under the Russian HEU Agreement is having on the domestic uranium mining, conversion, and enrichment industries, and the operation of the gaseous diffusion plants. Such report shall include a description of actions taken or proposed to be taken by the President to prevent or mitigate any material adverse impact on such industries or any loss of employment at the gaseous diffusion plants as a result of the Russian HEU Agreement.

(c) TRANSFERS TO THE CORPORATION.—(1) The Secretary shall transfer to the Corporation without charge up to 50 metric tons of enriched uranium and up to 7,000 metric tons of natural uranium from the Department of Energy's stockpile, subject to the restrictions in subsection (c)(2).

(2) The Corporation shall not deliver for commercial end use in the United States—

(A) any of the uranium transferred under this subsection before January 1, 1998;

(B) more than 10 percent of the uranium (by uranium hexafluoride equivalent content) transferred under this subsection or more than 4,000,000 pounds, whichever is less, in any calendar year after 1997; or

(C) more than 800,000 separative work units contained in low-enriched uranium transferred under this subsection in any calendar year.

(d) INVENTORY SALES.—(1) In addition to the transfers authorized under subsections (c) and (e), the Secretary may, from time to time, sell natural and low-enriched uranium (including low-enriched uranium derived from highly enriched uranium) from the Department of Energy's stockpile.

(2) Except as provided in subsections (b), (c), and (e), no sale or transfer of natural or low-enriched uranium shall be made unless—

(A) the President determines that the material is not necessary for national security needs,

(B) the Secretary determines that the sale of the material will not have an adverse material impact on the domestic uranium mining, conversion, or enrichment industry, taking into account the sales of uranium under the Russian HEU Agreement and the Suspension Agreement, and

(C) the price paid to the Secretary will not be less than the fair market value of the material.

(e) GOVERNMENT TRANSFERS.—Notwithstanding subsection (d)(2), the Secretary may transfer or sell enriched uranium—

(1) to a Federal agency if the material is transferred for the use of the receiving agency without any resale or transfer to another entity and the material does not meet commercial specifications;

(2) to any person for national security purposes, as determined by the Secretary; or

(3) to any State or local agency or nonprofit, charitable, or educational institution for use other than the generation of electricity for commercial use.

(f) SAVINGS PROVISION.—Nothing in this subchapter shall be read to modify the terms of the Russian HEU Agreement.

#### SEC. 3113. LOW-LEVEL WASTE.

(a) RESPONSIBILITY OF DOE.—(1) The Secretary, at the request of the generator, shall accept for disposal low-level radioactive waste, including depleted uranium if it were ultimately determined to be low-level radioactive waste, generated by—

(A) the Corporation as a result of the operations of the gaseous diffusion plants or as a result of the treatment of such wastes at a location other than the gaseous diffusion plants, or

(B) any person licensed by the Nuclear Regulatory Commission to operate a uranium enrichment facility under sections 53, 63, and 193 of the Atomic Energy Act of 1954 (42 U.S.C. 2073, 2093, and 2243).

(2) Except as provided in paragraph (3), the generator shall reimburse the Secretary for the disposal of low-level radioactive waste pursuant to paragraph (1) in an amount equal to the Secretary's costs, including a pro rata share of any capital costs, but in no event more than an amount equal to that which would be charged by commercial, State, regional, or interstate compact entities for disposal of such waste.

(3) In the event depleted uranium were ultimately determined to be low-level radioactive waste, the generator shall reimburse the Secretary for the disposal of depleted uranium pursuant to paragraph (1) in an amount equal to the Secretary's costs, including a pro rata share of any capital costs.

(b) AGREEMENTS WITH OTHER PERSONS.—The generator may also enter into agreements with the disposal of low-level radioactive waste subject to subsection (a) with any person other than the Secretary that is authorized by applicable laws and regulations to dispose of such wastes.

(c) STATE OR INTERSTATE COMPACTS.—Notwithstanding any other provision of law, no State or interstate compact shall be liable for the treatment, storage, or disposal of any low-level radioactive waste (including mixed waste) attributable to the operation, decontamination, and decommissioning of any uranium enrichment facility.

#### SEC. 3114. AVLIS.

(a) EXCLUSIVE RIGHT TO COMMERCIALIZE.—The Corporation shall have the exclusive commercial right to deploy and use any AVLIS patents, processes, and technical information owned or controlled by the Government, upon completion of a royalty agreement with the Secretary.

(b) TRANSFER OF RELATED PROPERTY TO CORPORATION.—

(1) IN GENERAL.—To the extent requested by the Corporation and subject to the requirements of the Atomic Energy Act of 1954 (42 U.S.C. 2011, et seq.), the President shall transfer without charge to the Corporation all of the right, title,

or interest in and to property owned by the United States under control or custody of the Secretary that is directly related to and materially useful in the performance of the Corporation's purposes regarding AVLIS and alternative technologies for uranium enrichment, including—

(A) facilities, equipment, and materials for research, development, and demonstration activities; and

(B) all other facilities, equipment, materials, processes, patents, technical information of any kind, contracts, agreements, and leases.

(2) **EXCEPTION.**—Facilities, real estate, improvements, and equipment related to the gaseous diffusion, and gas centrifuge, uranium enrichment programs of the Secretary shall not transfer under paragraph (1)(B).

(3) **EXPIRATION OF TRANSFER AUTHORITY.**—The President's authority to transfer property under this subsection shall expire upon the privatization date.

(c) **LIABILITY FOR PATENT AND RELATED CLAIMS.**—With respect to any right, title, or interest provided to the Corporation under subsection (a) or (b), the Corporation shall have sole liability for any payments made or awards under section 157 b. (3) of the Atomic Energy Act of 1954 (42 U.S.C. 2187(b)(3)), or any settlements or judgments involving claims for alleged patent infringement. Any royalty agreement under subsection (a) of this section shall provide for a reduction of royalty payments to the Secretary to offset any payments, awards, settlements, or judgments under this subsection.

#### **SEC. 3115. APPLICATION OF CERTAIN LAWS.**

(a) **OSHA.**—(1) As of the privatization date, the private corporation shall be subject to and comply with the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.).

(2) The Nuclear Regulatory Commission and the Occupational Safety and Health Administration shall, within 90 days after the date of enactment of this Act, enter into a memorandum of agreement to govern the exercise of their authority over occupational safety and health hazards at the gaseous diffusion plants, including inspection, investigation, enforcement, and rulemaking relating to such hazards.

(b) **ANTITRUST LAWS.**—For purposes of the antitrust laws, the performance by the private corporation of a "matched import" contract under the Suspension Agreement shall be considered to have occurred prior to the privatization date, if at the time of privatization, such contract had been agreed to by the parties in all material terms and confirmed by the Secretary of Commerce under the Suspension Agreement.

(c) **ENERGY REORGANIZATION ACT REQUIREMENTS.**—(1) The private corporation and its contractors and subcontractors shall be subject to the provisions of section 211 of the Energy Reorganization Act of 1974 (42 U.S.C. 5851) to the same extent as an employer subject to such section.

(2) With respect to the operation of the facilities leased by the private corporation, section 206 of the Energy Reorganization Act of 1974 (42 U.S.C. 5846) shall apply to the directors and officers of the private corporation.

#### **SEC. 3116. AMENDMENTS TO THE ATOMIC ENERGY ACT.**

(a) **REPEAL.**—(1) Chapters 22 through 26 of the Atomic Energy Act of 1954 (42 U.S.C. 2297–2297e–7) are repealed as of the privatization date.

(2) The table of contents of such Act is amended as of the privatization date by striking the items referring to sections repealed by paragraph (1).

(b) **NRC LICENSING.**—(1) Section 11v. of the Atomic Energy Act of 1954 (42 U.S.C. 2014v.) is amended by striking "or the construction and operation of a uranium enrichment facility using Atomic Vapor Laser Isotope Separation technology".

(2) Section 193 of the Atomic Energy Act of 1954 (42 U.S.C. 2243) is amended by adding at the end the following:

"(f) **LIMITATION.**—No license or certificate of compliance may be issued to the United States Enrichment Corporation or its successor under this section or sections 53, 63, or 1701, if the Commission determines that—

"(1) the Corporation is owned, controlled, or dominated by an alien, a foreign corporation, or a foreign government; or

"(2) the issuance of such a license or certificate of compliance would be inimical to—

"(A) the common defense and security of the United States; or

"(B) the maintenance of a reliable and economical domestic source of enrichment services."

(3) Section 1701(c)(2) of the Atomic Energy Act of 1954 (42 U.S.C. 2297f(c)(2)) is amended to read as follows:

"(2) **PERIODIC APPLICATION FOR CERTIFICATE OF COMPLIANCE.**—The Corporation shall apply to the Nuclear Regulatory Commission for a certificate of compliance under paragraph (1) periodically, as determined by the Commission, but not less than every 5 years. The Commission shall review any such application and any determination made under subsection (b)(2) shall be based on the results of any such review."

(4) Section 1702(a) of the Atomic Energy Act of 1954 (42 U.S.C. 2297f–1(a)) is amended—

(1) by striking "other than" and inserting "including"; and

(2) by striking "sections 53 and 63" and inserting "sections 53, 63, and 193".

(c) **JUDICIAL REVIEW OF NRC ACTIONS.**—Section 189b. of the Atomic Energy Act of 1954 (42 U.S.C. 2239(b)) is amended to read as follows:

"b. The following Commission actions shall be subject to judicial review in the manner prescribed in chapter 158 of title 28, United States Code, and chapter 7 of title 5, United States Code:

"(1) Any final order entered in any proceeding of the kind specified in subsection (a).

"(2) Any final order allowing or prohibiting a facility to begin operating under a combined construction and operating license.

"(3) Any final order establishing by regulatory standards to govern the Department of Energy's gaseous diffusion uranium enrichment plants, including any such facilities leased to a corporation established under the USEC Privatization Act.

"(4) Any final determination under section 1701(c) relating to whether the gaseous diffusion plants, including any such facilities leased to a corporation established under the USEC Privatization Act, are in compliance with the Commission's standards governing the gaseous diffusion plants and all applicable laws."

(d) **CIVIL PENALTIES.**—Section 234 a. of the Atomic Energy Act of 1954 (42 U.S.C. 2282(a)) is amended by—

(1) striking "any licensing provision of section 53, 57, 62, 63, 81, 82, 101, 103, 104, 107, or 109" and inserting: "any licensing or certification provision of section 53, 57, 62, 63, 81, 82, 101, 103, 104, 107, 109, or 1701"; and

(2) by striking "any license issued thereunder" and inserting: "any license or certification issued thereunder".

(e) **REFERENCES TO THE CORPORATION.**—Following the privatization date, all references in the Atomic Energy Act of 1954 to the United States Enrichment Corporation shall be deemed to be references to the private corporation.

#### **SEC. 3117. AMENDMENTS TO OTHER LAWS.**

(a) **DEFINITION OF GOVERNMENT CORPORATION.**—As of the privatization date, section 9101(3) of title 31, United States Code, is amended by striking subparagraph (N) as added by section 902(b) of Public Law 102–486.

(b) **DEFINITION OF THE CORPORATION.**—Section 1018(1) of the Energy Policy Act of 1992 (42 U.S.C. 2296b–7(1)) is amended by inserting "or its successor" before the period.

#### **SUBCHAPTER B**

#### **SEC. 3201. BONNEVILLE POWER ADMINISTRATION REFINANCING.**

(a) **DEFINITIONS.**—

For the purposes of this section—

(1) "Administrator" means the Administrator of the Bonneville Power Administration;

(2) "capital investment" means a capitalized cost funded by Federal appropriations that—

(A) is for a project, facility, or separable unit or feature of a project or facility;

(B) is a cost for which the Administrator is required by law to establish rates to repay to the United States Treasury through the sale of electric power, transmission, or other services;

(C) excludes a Federal irrigation investment; and

(D) excludes an investment financed by the current revenues of the Administrator or by bonds issued and sold, or authorized to be issued and sold, by the Administrator under section 13 of the Federal Columbia River Transmission System Act (16 U.S.C. 838k);

(3) "new capital investment" means a capital investment for a project, facility, or separable unit or feature of a project or facility, placed in service after September 30, 1996;

(4) "old capital investment" means a capital investment the capitalized cost of which—

(A) was incurred, but not repaid, before October 1, 1996, and

(B) was for a project, facility, or separable unit or feature of a project or facility, placed in service before October 1, 1996;

(5) "repayment date" means the end of the period within which the Administrator's rates are to assure the repayment of the principal amount of a capital investment; and

(6) "Treasury rate" means—

(A) for an old capital investment, a rate determined by the Secretary of the Treasury, taking into consideration prevailing market yields, during the month preceding October 1, 1996, on outstanding interest-bearing obligations of the United States with periods to maturity comparable to the period between October 1, 1996, and the repayment date for the old capital investment; and

(B) for a new capital investment, a rate determined by the Secretary of the Treasury, taking into consideration prevailing market yields, during the month preceding the beginning of the fiscal year in which the related project, facility, or separable unit or feature is placed in service, on outstanding interest-bearing obligations of the United States with periods to maturity comparable to the period between the beginning of the fiscal year and the repayment date for the new capital investment.

(b) **NEW PRINCIPAL AMOUNTS.**—

(1) **PRINCIPAL AMOUNT.**—Effective October 1, 1996, an old capital investment has a new principal amount that is the sum of—

(A) the present value of the old payment amounts for the old capital investment, calculated using a discount rate equal to the Treasury rate for the old capital investment; and

(B) an amount equal to \$100,000,000 multiplied by a fraction whose numerator is the principal amount of the old payment amounts for the old capital investment and whose denominator is the sum of the principal amounts of the old payment amounts for all old capital investments.

(2) **DETERMINATION.**—With the approval of the Secretary of the Treasury based solely on consistency with this section, the Administrator shall determine the new principal amounts under subsection (b) and the assignment of interest rates to the new principal amounts under subsection (c).

(3) **OLD PAYMENT AMOUNTS.**—For the purposes of this subsection, "old payment amounts" means, for an old capital investment, the annual interest and principal that the Administrator would have paid to the United States Treasury from October 1, 1996, if this section had not been enacted, assuming that—

(A) the principal were repaid—

(i) on the repayment date the Administrator assigned before October 1, 1994, to the old capital investment, or

(ii) with respect to an old capital investment for which the Administrator has not assigned a repayment date before October 1, 1994, on a repayment date the Administrator shall assign to the old capital investment in accordance with paragraph 10(d)(1) of the version of Department of Energy Order RA 6120.2 in effect on October 1, 1994; and

(B) interest were paid—

(i) at the interest rate the Administrator assigned before October 1, 1994, to the old capital investment, or

(ii) with respect to an old capital investment for which the Administrator has not assigned an interest rate before October 1, 1994, at a rate determined by the Secretary of the Treasury, taking into consideration prevailing market yields, during the month preceding the beginning of the fiscal year in which the related project, facility, or separable unit or feature is placed in service, on outstanding interest-bearing obligations of the United States with periods to maturity comparable to the period between the beginning of the fiscal year and the repayment date for the old capital investment.

(c) INTEREST RATE FOR NEW PRINCIPAL AMOUNTS.—

As of October 1, 1996, the unpaid balance on the new principal amount established for an old capital investment under subsection (b) bears interest annually at the Treasury rate for the old capital investment until the earlier of the date that the new principal amount is repaid or the repayment date for the new principal amount.

(d) REPAYMENT DATES.—

As of October 1, 1996, the repayment date for the new principal amount established for an old capital investment under subsection (b) is no earlier than the repayment date for the old capital investment assumed in subsection (b)(3)(A).

(e) PREPAYMENT LIMITATIONS.—

During the period October 1, 1996, through September 30, 2001, the total new principal amounts of old capital investments, as established under subsection (b), that the Administrator may pay before their respective repayment dates shall not exceed \$100,000,000.

(f) INTEREST RATES FOR NEW CAPITAL INVESTMENTS DURING CONSTRUCTION.—

(1) NEW CAPITAL INVESTMENT.—The principal amount of a new capital investment includes interest in each fiscal year of construction of the related project, facility, or separable unit or feature at a rate equal to the one-year rate for the fiscal year on the sum of—

(A) construction expenditures that were made from the date construction commenced through the end of the fiscal year, and

(B) accrued interest during construction.

(2) PAYMENT.—The Administrator is not required to pay, during construction of the project, facility, or separable unit or feature, the interest calculated, accrued, and capitalized under subsection (f)(1).

(3) ONE-YEAR RATE.—For the purposes of this section, "one-year rate" for a fiscal year means a rate determined by the Secretary of the Treasury, taking into consideration prevailing market yields, during the month preceding the beginning of the fiscal year, on outstanding interest-bearing obligations of the United States with periods to maturity of approximately one year.

(g) INTEREST RATES FOR NEW CAPITAL INVESTMENTS.—

The unpaid balance on the principal amount of a new capital investment bears interest at the Treasury rate for the new capital investment from the date the related project, facility, or separable unit or feature is placed in service until the earlier of the date the new capital investment is repaid or the repayment date for the new capital investment.

(h) CREDITS TO ADMINISTRATOR'S REPAYMENT TO THE UNITED STATES TREASURY.—

The Confederated Tribe of the Colville Reservation Grand Coulee Dam Settlement Act (Public Law No. 103-436; 108 Stat. 4577) is amended by striking section 6 and inserting the following:

**"SEC. 6. CREDITS TO ADMINISTRATOR'S REPAYMENT TO THE UNITED STATES TREASURY.**

"So long as the Administrator makes annual payments to the tribes under the settlement agreement, the Administrator shall apply against amounts otherwise payable by the Administrator to the United States Treasury a credit that reduces the Administrator's payment, in the amount and for each fiscal year as follows: \$15,860,000 in fiscal year 1997; \$16,490,000 in fiscal year 1998; \$17,150,000 in fiscal year 1999; \$17,840,000 in fiscal year 2000; \$18,550,000 in fiscal year 2001; and \$4,600,000 in each succeeding fiscal year."

(i) CONTRACT PROVISIONS.—

In each contract of the Administrator that provides for the Administrator to sell electric power, transmission, or related services, and that is in effect after September 30, 1996, the Administrator shall offer to include, or as the case may be, shall offer to amend to include, provisions specifying that after September 30, 1996—

(1) the Administrator shall establish rates and charges on the basis that—

(A) the principal amount of an old capital investment shall be no greater than the new principal amount established under subsection (b);

(B) the interest rate applicable to the unpaid balance of the new principal amount of an old capital investment shall be no greater than the interest rate established under subsection (c);

(C) any payment of principal of an old capital investment shall reduce the outstanding principal balance of the old capital investment in the amount of the payment at the time the payment is tendered; and

(D) any payment of interest on the unpaid balance of the new principal amount of an old capital investment shall be a credit against the appropriate interest account in the amount of the payment at the time the payment is tendered;

(2) apart from charges necessary to repay the new principal amount of an old capital investment as established under subsection (b) and to pay the interest on the principal amount under subsection (c), no amount may be charged for return to the United States Treasury as repayment for or return on an old capital investment, whether by way of rate, rent, lease payment, assessment, user charge, or any other fee;

(3) amounts provided under section 1304 of title 31, United States Code, shall be available to pay, and shall be the sole source for payment of, a judgment against or settlement by the Administrator or the United States on a claim for a breach of the contract provisions required by this Part; and

(4) the contract provisions specified in this Part do not—

(A) preclude the Administrator from recovering, through rates or other means, any tax that is generally imposed on electric utilities in the United States, or

(B) affect the Administrator's authority under applicable law, including section 7(g) of the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839e(g)), to—

(i) allocate costs and benefits, including but not limited to fish and wildlife costs, to rates or resources, or

(ii) design rates.

(j) SAVINGS PROVISIONS.—

(1) REPAYMENT.—This subchapter does not affect the obligation of the Administrator to repay the principal associated with each capital investment, and to pay interest on the principal, only from the "Administrator's net proceeds," as defined in section 13 of the Federal Columbia River Transmission System Act (16 U.S.C. 838k(b)).

(2) PAYMENT OF CAPITAL INVESTMENT.—Except as provided in subsection (e), this section does not affect the authority of the Administrator to pay all or a portion of the principal amount associated with a capital investment before the repayment date for the principal amount.

CHAPTER 2

FOREIGN OPERATIONS, EXPORT  
FINANCING, AND RELATED PROGRAMS  
EXPORT AND INVESTMENT ASSISTANCE  
EXPORT-IMPORT BANK OF THE UNITED STATES  
SUBSIDY APPROPRIATION  
(RESCISSION)

Of the unobligated balances available under this heading, \$42,000,000 are rescinded.

CHAPTER 3

DEPARTMENT OF THE INTERIOR AND  
RELATED AGENCIES  
DEPARTMENT OF ENERGY  
STRATEGIC PETROLEUM RESERVE

Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), the Secretary of Energy shall draw down and sell in fiscal year 1996, \$227,000,000 worth of Strategic Petroleum Reserve oil from the Weeks Island site.

CHAPTER 4

DEPARTMENTS OF LABOR, HEALTH AND  
HUMAN SERVICES, AND EDUCATION  
DEPARTMENT OF HEALTH AND HUMAN  
SERVICES  
ADMINISTRATION FOR CHILDREN AND FAMILIES  
JOB OPPORTUNITIES AND BASIC SKILLS  
(RESCISSION)

Of the funds made available under this heading elsewhere in this Act, there is rescinded an amount equal to the total of the funds within each State's limitation for fiscal year 1996 that are not necessary to pay such State's allowable claims for such fiscal year.

Section 403(k)(3)(F) of the Social Security Act (as amended by Public Law 100-485) is amended by adding: "reduced by an amount equal to the total of those funds that are within each State's limitation for fiscal year 1996 that are not necessary to pay such State's allowable claims for such fiscal year (except that such amount for such year shall be deemed to be \$1,000,000,000 for the purpose of determining the amount of the payment under subsection (1) to which each State is entitled)."

DEPARTMENT OF EDUCATION

STUDENT FINANCIAL ASSISTANCE

Notwithstanding any other provision of this Act, the first and third dollar amounts provided in Title I of this Act under the heading "Student Financial Assistance" are hereby reduced by \$53,446,000.

CHAPTER 5

MILITARY CONSTRUCTION  
(RESCISSIONS)

Of the funds provided in Public Law 104-32, the Military Construction Appropriations Act, 1996, the following funds are hereby rescinded from the following accounts in the specified amounts:

Military Construction, Army,	\$6,385,000;
Military Construction, Navy,	\$6,385,000;
Military Construction, Air Force,	\$6,385,000;
and	
Military Construction, Defense-wide,	\$18,345,000.

CHAPTER 6

DEPARTMENT OF DEFENSE—MILITARY  
PROCUREMENT  
MISSILE PROCUREMENT, AIR FORCE  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$310,000,000 are rescinded.

OTHER PROCUREMENT, AIR FORCE  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$265,000,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATIONRESEARCH, DEVELOPMENT, TEST AND  
EVALUATION, ARMY

## (RESCISSION)

Of the funds made available under this heading in Public Law 104-61, \$19,500,000 are rescinded: Provided, That this reduction shall be applied proportionally to each budget activity, activity group and subactivity group and each program, project, and activity within this appropriation account.

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATION, NAVY

## (RESCISSIONS)

Of the funds made available under this heading in Public Law 104-61, \$45,000,000 are rescinded: Provided, That this reduction shall be applied proportionally to each budget activity, activity group and subactivity group and each program, project, and activity within this appropriation account.

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATION, AIR FORCE

## (RESCISSIONS)

Of the funds made available under this heading in Public Law 103-335, \$245,000,000 are rescinded.

Of the funds made available under this heading in Public Law 104-61, \$69,800,000 are rescinded: Provided, That this reduction shall be applied proportionally to each budget activity, activity group and subactivity group and each program, project, and activity within this appropriation account.

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATION, DEFENSE-WIDE

## (RESCISSION)

Of the funds made available under this heading in Public Law 104-61, \$40,600,000 are rescinded: Provided, That this reduction shall be applied proportionally to each budget activity, activity group and subactivity group and each program, project, and activity within this appropriation account: Provided further, That no reduction may be taken against the funds made available to the Department of Defense for Ballistic Missile Defense.

## CHAPTER 7

## DEPARTMENT OF TRANSPORTATION

## FEDERAL AVIATION ADMINISTRATION

## GRANTS-IN-AID FOR AIRPORTS

## (AIRPORT AND AIRWAY TRUST FUND)

## (RESCISSION OF CONTRACT AUTHORIZATION)

Of the available contract authority balances under this account, \$664,000,000 are rescinded.

## FEDERAL HIGHWAY ADMINISTRATION

## HIGHWAY-RELATED SAFETY GRANTS

## (HIGHWAY TRUST FUND)

## (RESCISSION OF CONTRACT AUTHORIZATION)

Of the available contract authority balances under this account, \$9,000,000 are rescinded.

## MOTOR CARRIER SAFETY GRANTS

## (HIGHWAY TRUST FUND)

## (RESCISSION OF CONTRACT AUTHORIZATION)

Of the available contract authority balances under this account, \$33,000,000 are rescinded.

NATIONAL HIGHWAY TRAFFIC SAFETY  
ADMINISTRATION

## HIGHWAY TRAFFIC SAFETY GRANTS

## (HIGHWAY TRUST FUND)

## (RESCISSION OF CONTRACT AUTHORIZATION)

Of the available contract authority balances under this account, \$56,000,000 are rescinded.

## CHAPTER 8

## TREASURY, POSTAL SERVICE AND

## GENERAL GOVERNMENT

## INDEPENDENT AGENCIES

## GENERAL SERVICES ADMINISTRATION

## FEDERAL BUILDINGS FUND

## LIMITATIONS ON AVAILABILITY OF REVENUE

## (RESCISSION)

Of the funds made available for installment acquisition payments under this heading in Public Law 104-52, \$3,400,000 are rescinded: Provided, That the aggregate amount made available to the Fund shall be \$5,062,749,000.

## CHAPTER 9

## DEPARTMENTS OF VETERANS AFFAIRS

## AND HOUSING AND URBAN DEVELOP-

## MENT AND INDEPENDENT AGENCIES

FEDERAL EMERGENCY MANAGEMENT  
AGENCY

## DISASTER RELIEF

Of the funds made available under this heading and under the heading "Disaster relief emergency contingency fund" in Public Law 104-19, \$1,000,000,000 are rescinded.

## CHAPTER 10

## DEBT COLLECTION IMPROVEMENTS

SEC. 31001. DEBT COLLECTION IMPROVEMENT  
ACT OF 1996.

(a)(1) This section may be cited as the "Debt Collection Improvement Act of 1996".

(2)(A) IN GENERAL.—The provisions of this section and the amendments made by this section shall take effect on the date of the enactment of this Act.

(B) OFFSETS FROM SOCIAL SECURITY PAYMENTS, ETC.—Subparagraph (A) of section 3716(c)(3) of title 31, United States Code (as added by subsection (d)(2) of this section), shall apply only to payments made after the date which is 4 months after the date of the enactment of this Act.

(b) The purposes of this section are the following:

(1) To maximize collections of delinquent debts owed to the Government by ensuring quick action to enforce recovery of debts and the use of all appropriate collection tools.

(2) To minimize the costs of debt collection by consolidating related functions and activities and utilizing interagency teams.

(3) To reduce losses arising from debt management activities by requiring proper screening of potential borrowers, aggressive monitoring of all accounts, and sharing of information within and among Federal agencies.

(4) To ensure that the public is fully informed of the Federal Government's debt collection policies and that debtors are cognizant of their financial obligations to repay amounts owed to the Federal Government.

(5) To ensure that debtors have all appropriate due process rights, including the ability to verify, challenge, and compromise claims, and access to administrative appeals procedures which are both reasonable and protect the interests of the United States.

(6) To encourage agencies, when appropriate, to sell delinquent debt, particularly debts with underlying collateral.

(7) To rely on the experience and expertise of private sector professionals to provide debt collection services to Federal agencies.

(c) Chapter 37 of title 31, United States Code, is amended—

(1) in each of sections 3711, 3716, 3717, and 3718, by striking "the head of an executive or legislative agency" each place it appears and inserting "the head of an executive, judicial, or legislative agency"; and

(2) by amending section 3701(a)(4) to read as follows:

"(4) 'executive, judicial, or legislative agency' means a department, agency, court, court administrative office, or instrumentality in the ex-

ecutive, judicial, or legislative branch of Government, including government corporations.".

(d)(1) PERSONS SUBJECT TO ADMINISTRATIVE OFFSET.—Section 3701(c) of title 31, United States Code, is amended to read as follows:

"(c) In sections 3716 and 3717 of this title, the term 'person' does not include an agency of the United States Government.".

(2) REQUIREMENTS AND PROCEDURES.—Section 3716 of title 31, United States Code, is amended—

(A) by amending subsection (b) to read as follows:

"(b) Before collecting a claim by administrative offset, the head of an executive, judicial, or legislative agency must either—

"(1) adopt, without change, regulations on collecting by administrative offset promulgated by the Department of Justice, the General Accounting Office, or the Department of the Treasury; or

"(2) prescribe regulations on collecting by administrative offset consistent with the regulations referred to in paragraph (1).";

(B) by amending subsection (c)(2) to read as follows:

"(2) when a statute explicitly prohibits using administrative offset or setoff to collect the claim or type of claim involved.";

(C) by redesignating subsection (c) as subsection (e); and

(D) by inserting after subsection (b) the following new subsections:

"(c)(1)(A) Except as otherwise provided in this subsection, a disbursing official of the Department of the Treasury, the Department of Defense, the United States Postal Service, or any other government corporation, or any disbursing official of the United States designated by the Secretary of the Treasury, shall offset at least annually the amount of a payment which a payment certifying agency has certified to the disbursing official for disbursement, by an amount equal to the amount of a claim which a creditor agency has certified to the Secretary of the Treasury pursuant to this subsection.

"(B) An agency that designates disbursing officials pursuant to section 3321(c) of this title is not required to certify claims arising out of its operations to the Secretary of the Treasury before such agency's disbursing officials offset such claims.

"(C) Payments certified by the Department of Education under a program administered by the Secretary of Education under title IV of the Higher Education Act of 1965 shall not be subject to administrative offset under this subsection.

"(2) Neither the disbursing official nor the payment certifying agency shall be liable—

"(A) for the amount of the administrative offset on the basis that the underlying obligation, represented by the payment before the administrative offset was taken, was not satisfied; or

"(B) for failure to provide timely notice under paragraph (8).

"(3)(A)(i) Notwithstanding any other provision of law (including sections 207 and 1631(d)(1) of the Social Security Act (42 U.S.C. 407 and 1383(d)(1)), section 413(b) of Public Law 91-173 (30 U.S.C. 923(b)), and section 14 of the Act of August 29, 1935 (45 U.S.C. 231m)), except as provided in clause (ii), all payments due to an individual under—

"(I) the Social Security Act,

"(II) part B of the Black Lung Benefits Act,

or

"(III) any law administered by the Railroad Retirement Board (other than payments that such Board determines to be tier 2 benefits), shall be subject to offset under this section.

"(ii) An amount of \$9,000 which a debtor may receive under Federal benefit programs cited under clause (i) within a 12-month period shall be exempt from offset under this subsection. In applying the \$9,000 exemption, the disbursing official shall—



“(I) reduce the \$9,000 exemption amount for the 12-month period by the amount of all Federal benefit payments made during such 12-month period which are not subject to offset under this subsection; and

“(II) apply a prorated amount of the exemption to each periodic benefit payment to be made to the debtor during the applicable 12-month period.

For purposes of the preceding sentence, the amount of a periodic benefit payment shall be the amount after any reduction or deduction required under the laws authorizing the program under which such payment is authorized to be made (including any reduction or deduction to recover any overpayment under such program).

“(B) The Secretary of the Treasury shall exempt from administrative offset under this subsection payments under means-tested programs when requested by the head of the respective agency. The Secretary may exempt other payments from administrative offset under this subsection upon the written request of the head of a payment certifying agency. A written request for exemption of other payments must provide justification for the exemption under standards prescribed by the Secretary. Such standards shall give due consideration to whether administrative offset would tend to interfere substantially with or defeat the purposes of the payment certifying agency's program. The Secretary shall report to the Congress annually on exemptions granted under this section.

“(C) The provisions of sections 205(b)(1) and 1631(c)(1) of the Social Security Act shall not apply to any administrative offset executed pursuant to this section against benefits authorized by either title II or title XVI of the Social Security Act, respectively.

“(4) The Secretary of the Treasury may charge a fee sufficient to cover the full cost of implementing this subsection. The fee may be collected either by the retention of a portion of amounts collected pursuant to this subsection, or by billing the agency referring or transferring a claim for those amounts. Fees charged to the agencies shall be based on actual administrative offsets completed. Amounts received by the United States as fees under this subsection shall be deposited into the account of the Department of the Treasury under section 3711(g)(7) of this title, and shall be collected and accounted for in accordance with the provisions of that section.

“(5) The Secretary of the Treasury in consultation with the Commissioner of Social Security and the Director of the Office of Management and Budget, may prescribe such rules, regulations, and procedures as the Secretary of the Treasury considers necessary to carry out this subsection. The Secretary shall consult with the heads of affected agencies in the development of such rules, regulations, and procedures.

“(6) Any Federal agency that is owed by a person a past due, legally enforceable nontax debt that is over 180 days delinquent, including nontax debt administered by a third party acting as an agent for the Federal Government, shall notify the Secretary of the Treasury of all such nontax debts for purposes of administrative offset under this subsection.

“(7)(A) The disbursing official conducting an administrative offset with respect to a payment to a payee shall notify the payee in writing of—

“(i) the occurrence of the administrative offset to satisfy a past due legally enforceable debt, including a description of the type and amount of the payment otherwise payable to the payee against which the offset was executed;

“(ii) the identity of the creditor agency requesting the offset; and

“(iii) a contact point within the creditor agency that will handle concerns regarding the offset.

“(B) If the payment to be offset is a periodic benefit payment, the disbursing official shall take reasonable steps, as determined by the Secretary of the Treasury, to provide the notice to

the payee not later than the date on which the payee is otherwise scheduled to receive the payment, or as soon as practical thereafter, but no later than the date of the administrative offset. Notwithstanding the preceding sentence, the failure of the debtor to receive such notice shall not impair the legality of such administrative offset.

“(8) A levy pursuant to the Internal Revenue Code of 1986 shall take precedence over requests for administrative offset pursuant to other laws.

“(d) Nothing in this section is intended to prohibit the use of any other administrative offset authority existing under statute or common law.”

(3) NONTAX DEBT OR CLAIM DEFINED.—Section 3701 of title 31, United States Code, is amended in subsection (a) by adding at the end the following new paragraph:

“(8) ‘nontax’ means, with respect to any debt or claim, any debt or claim other than a debt or claim under the Internal Revenue Code of 1986.”

(4) TREASURY CHECK WITHHOLDING.—Section 3712 of title 31, United States Code, is amended by adding at the end the following new subsection:

“(e) TREASURY CHECK OFFSET.—

“(1) IN GENERAL.—To facilitate collection of amounts owed by presenting banks pursuant to subsection (a) or (b), upon the direction of the Secretary, a Federal reserve bank shall withhold credit from banks presenting Treasury checks for ultimate charge to the account of the United States Treasury. By presenting Treasury checks for payment a presenting bank is deemed to authorize this offset.

“(2) ATTEMPT TO COLLECT REQUIRED.—Prior to directing offset under subsection (a)(1), the Secretary shall first attempt to collect amounts owed in the manner provided by sections 3711 and 3716.”

(e) Section 3716 of title 31, United States Code, as amended by subsection (d)(2) of this section, is further amended by adding at the end the following new subsections:

“(f) The Secretary may waive the requirements of sections 552a(o) and (p) of title 5 for administrative offset or claims collection upon written certification by the head of a State or an executive, judicial, or legislative agency seeking to collect the claim that the requirements of subsection (a) of this section have been met.

“(g) The Data Integrity Board of the Department of the Treasury established under 552a(u) of title 5 shall review and include in reports under paragraph (3)(D) of that section a description of any matching activities conducted under this section. If the Secretary has granted a waiver under subsection (f) of this section, no other Data Integrity Board is required to take any action under section 552a(u) of title 5.”

(f) Section 3716 of title 31, United States Code, as amended by subsections (d) and (e) of this section, is further amended by adding at the end the following new subsection:

“(h)(1) The Secretary may, in the discretion of the Secretary, apply subsection (a) with respect to any past-due, legally-enforceable debt owed to a State if—

“(A) the appropriate State disbursing official requests that an offset be performed; and

“(B) a reciprocal agreement with the State is in effect which contains, at a minimum—

“(i) requirements substantially equivalent to subsection (b) of this section; and

“(ii) any other requirements which the Secretary considers appropriate to facilitate the offset and prevent duplicative efforts.

“(2) This subsection does not apply to—

“(A) the collection of a debt or claim on which the administrative costs associated with the collection of the debt or claim exceed the amount of the debt or claim;

“(B) any collection of any other type, class, or amount of claim, as the Secretary considers necessary to protect the interest of the United States; or

“(C) the disbursement of any class or type of payment exempted by the Secretary of the Treasury at the request of a Federal agency.

“(3) In applying this section with respect to any debt owed to a State, subsection (c)(3)(A) shall not apply.”

(g)(1) TITLE 31.—Title 31, United States Code, is amended—

(A) in section 3322(a), by inserting “section 3716 and section 3720A of this title and” after “Except as provided in”;

(B) in section 3325(a)(3), by inserting “or pursuant to payment intercepts or offsets pursuant to section 3716 or 3720A of this title,” after “voucher”; and

(C) in each of sections 3711(e)(2) and 3717(h) by inserting “, the Secretary of the Treasury,” after “Attorney General”.

(2) INTERNAL REVENUE CODE OF 1986.—Subparagraph (A) of section 6103(l)(10) of the Internal Revenue Code of 1986 (26 U.S.C. 6103(l)(10)) is amended by inserting “and to officers and employees of the Department of the Treasury in connection with such reduction” after “6402”.

(h) Section 5514 of title 5, United States Code, is amended—

(A) in subsection (a)—

(i) by adding at the end of paragraph (1) the following: “All Federal agencies to which debts are owed and which have outstanding delinquent debts shall participate in a computer match at least annually of their delinquent debt records with records of Federal employees to identify those employees who are delinquent in repayment of those debts. The preceding sentence shall not apply to any debt under the Internal Revenue Code of 1986. Matched Federal employee records shall include, but shall not be limited to, records of active Civil Service employees government-wide, military active duty personnel, military reservists, United States Postal Service employees, employees of other government corporations, and seasonal and temporary employees. The Secretary of the Treasury shall establish and maintain an interagency consortium to implement centralized salary offset computer matching, and promulgate regulations for this program. Agencies that perform centralized salary offset computer matching services under this subsection are authorized to charge a fee sufficient to cover the full cost for such services.”;

(ii) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(iii) by inserting after paragraph (2) the following new paragraph:

“(3) Paragraph (2) shall not apply to routine intra-agency adjustments of pay that are attributable to clerical or administrative errors or delays in processing pay documents that have occurred within the four pay periods preceding the adjustment and to any adjustment that amounts to \$50 or less, if at the time of such adjustment, or as soon thereafter as practical, the individual is provided written notice of the nature and the amount of the adjustment and a point of contact for contesting such adjustment.”; and

(iv) by amending paragraph (5)(B) (as redesignated by clause (ii) of this subparagraph) to read as follows:

“(B) ‘agency’ includes executive departments and agencies, the United States Postal Service, the Postal Rate Commission, the United States Senate, the United States House of Representatives, and any court, court administrative office, or instrumentality in the judicial or legislative branches of the Government, and government corporations.”;

(B) by adding after subsection (c) the following new subsection:

“(d) A levy pursuant to the Internal Revenue Code of 1986 shall take precedence over other deductions under this section.”

(i)(1) IN GENERAL.—Section 7701 of title 31, United States Code, is amended by adding at the end the following new subsections:

“(c)(1) The head of each Federal agency shall require each person doing business with that

agency to furnish to that agency such person's taxpayer identifying number.

"(2) For purposes of this subsection, a person shall be considered to be doing business with a Federal agency if the person is—

"(A) a lender or servicer in a Federal guaranteed or insured loan program administered by the agency;

"(B) an applicant for, or recipient of, a Federal license, permit, right-of-way, grant, or benefit payment administered by the agency or insurance administered by the agency;

"(C) a contractor of the agency;

"(D) assessed a fine, fee, royalty or penalty by the agency; and

"(E) in a relationship with the agency that may give rise to a receivable due to that agency, such as a partner of a borrower in or a guarantor of a Federal direct or insured loan administered by the agency.

"(3) Each agency shall disclose to a person required to furnish a taxpayer identifying number under this subsection its intent to use such number for purposes of collecting and reporting on any delinquent amounts arising out of such person's relationship with the Government.

"(4) For purposes of this subsection, a person shall not be treated as doing business with a Federal agency solely by reason of being a debtor or under third party claims of the United States. The preceding sentence shall not apply to a debtor owing claims resulting from petroleum pricing violations or owing claims resulting from Federal loan or loan guarantee/insurance programs.

"(d) Notwithstanding section 552a(b) of title 5, United States Code, creditor agencies to which a delinquent claim is owed, and their agents, may match their debtor records with Department of Health and Human Services, and Department of Labor records to obtain names (including names of employees), name controls, names of employers, taxpayer identifying numbers, addresses (including addresses of employers), and dates of birth. The preceding sentence shall apply to the disclosure of taxpayer identifying numbers only if such disclosure is not otherwise prohibited by section 6103 of the Internal Revenue Code of 1986. The Department of Health and Human Services, and the Department of Labor shall release that information to creditor agencies and may charge reasonable fees sufficient to pay the costs associated with that release."

(2) INCLUDED FEDERAL LOAN PROGRAM DEFINED.—Subparagraph (C) of section 6103(l)(3) of the Internal Revenue Code of 1986 (relating to disclosure that applicant for Federal loan has tax delinquent account) is amended to read as follows:

"(C) INCLUDED FEDERAL LOAN PROGRAM DEFINED.—For purposes of this paragraph, the term 'included Federal loan program' means any program under which the United States or a Federal agency makes, guarantees, or insures loans."

(3) CLERICAL AMENDMENTS.—

(A) The chapter title to chapter 77 of subtitle VI of title 31, United States Code, is amended to read as follows:

"CHAPTER 77—ACCESS TO INFORMATION FOR DEBT COLLECTION"

(B) The table of chapters for subtitle VI of title 31, United States Code, is amended by inserting before the item relating to chapter 91 the following new item:

"77. Access to information for debt collection ..... 7701".

(j)(1) IN GENERAL.—Title 31, United States Code, is amended by inserting after section 3720A the following new section:

"§3720B. Barring delinquent Federal debtors from obtaining Federal loans or loan insurance guarantees

"(a) Unless this subsection is waived by the head of a Federal agency, a person may not obtain any Federal financial assistance in the

form of a loan (other than a disaster loan) or loan insurance or guarantee administered by the agency if the person has an outstanding debt (other than a debt under the Internal Revenue Code of 1986) with any Federal agency which is in a delinquent status, as determined under standards prescribed by the Secretary of the Treasury. Such a person may obtain additional loans or loan guarantees only after such delinquency is resolved in accordance with those standards. The Secretary of the Treasury may exempt, at the request of an agency, any class of claims.

"(b) The head of a Federal agency may delegate the waiver authority under subsection (a) to the Chief Financial Officer of the agency. The waiver authority may be redelegated only to the Deputy Chief Financial Officer of the agency."

(2) CLERICAL AMENDMENT.—The table of sections for subchapter II of chapter 37 of title 31, United States Code, is amended by inserting after the item relating to section 3720A the following new item:

"3720B. Barring delinquent Federal debtors from obtaining Federal loans or loan insurance guarantees."

(k) Section 3711(f) of title 31, United States Code, is amended—

(1) by striking "may" the first place it appears and inserting "shall";

(2) by striking "an individual" each place it appears and inserting "a person";

(3) by striking "the individual" each place it appears and inserting "the person"; and

(4) by adding at the end the following new paragraphs:

"(4) The head of each executive agency shall require, as a condition for insuring or guaranteeing any loan, financing, or other extension of credit under any law to a person, that the lender provide information relating to the extension of credit to consumer reporting agencies or commercial reporting agencies, as appropriate.

"(5) The head of each executive agency may provide to a consumer reporting agency or commercial reporting agency information from a system of records that a person is responsible for a claim which is current, if notice required by section 552a(e)(4) of title 5 indicates that information in the system may be disclosed to a consumer reporting agency or commercial reporting agency, respectively."

(l) Section 3718 of title 31, United States Code, is amended—

(1) in subsection (a), by striking the first sentence and inserting the following: "Under conditions the head of an executive, judicial, or legislative agency considers appropriate, the head of the agency may enter into a contract with a person for collection service to recover indebtedness owed, or to locate or recover assets of, the United States Government. The head of an agency may not enter into a contract under the preceding sentence to locate or recover assets of the United States held by a State government or financial institution unless that agency has established procedures approved by the Secretary of the Treasury to identify and recover such assets."; and

(2) in subsection (d), by inserting ", or to locate or recover assets of," after "owed".

(m)(1) IN GENERAL.—Section 3711 of title 31, United States Code, is amended by adding at the end the following new subsections:

"(g)(1) If a nontax debt or claim owed to the United States has been delinquent for a period of 180 days—

"(A) the head of the executive, judicial, or legislative agency that administers the program that gave rise to the debt or claim shall transfer the debt or claim to the Secretary of the Treasury; and

"(B) upon such transfer the Secretary of the Treasury shall take appropriate action to collect or terminate collection actions on the debt or claim.

"(2) Paragraph (1) shall not apply—

"(A) to any debt or claim that—

"(i) is in litigation or foreclosure;

"(ii) will be disposed of under an asset sales program within 1 year after becoming eligible for sale, or later than 1 year if consistent with an asset sales program and a schedule established by the agency and approved by the Director of the Office of Management and Budget;

"(iii) has been referred to a private collection contractor for collection for a period of time determined by the Secretary of the Treasury;

"(iv) has been referred by, or with the consent of, the Secretary of the Treasury to a debt collection center for a period of time determined by the Secretary of the Treasury; or

"(v) will be collected under internal offset, if such offset is sufficient to collect the claim within 3 years after the date the debt or claim is first delinquent; and

"(B) to any other specific class of debt or claim, as determined by the Secretary of the Treasury at the request of the head of an executive, judicial, or legislative agency or otherwise.

"(3) For purposes of this section, the Secretary of the Treasury may designate, and withdraw such designation of debt collection centers operated by other Federal agencies. The Secretary of the Treasury shall designate such centers on the basis of their performance in collecting delinquent claims owed to the Government.

"(4) At the discretion of the Secretary of the Treasury, referral of a nontax claim may be made to—

"(A) any executive department or agency operating a debt collection center for servicing, collection, compromise, or suspension or termination of collection action;

"(B) a private collection contractor operating under a contract for servicing or collection action; or

"(C) the Department of Justice for litigation.

"(5) Nontax claims referred or transferred under this section shall be serviced, collected, or compromised, or collection action thereon suspended or terminated, in accordance with otherwise applicable statutory requirements and authorities. Executive departments and agencies operating debt collection centers may enter into agreements with the Secretary of the Treasury to carry out the purposes of this subsection. The Secretary of the Treasury shall—

"(A) maintain competition in carrying out this subsection;

"(B) maximize collections of delinquent debts by placing delinquent debts quickly;

"(C) maintain a schedule of private collection contractors and debt collection centers eligible for referral of claims; and

"(D) refer delinquent debts to the person most appropriate to collect the type or amount of claim involved.

"(6) Any agency operating a debt collection center to which nontax claims are referred or transferred under this subsection may charge a fee sufficient to cover the full cost of implementing this subsection. The agency transferring or referring the nontax claim shall be charged the fee, and the agency charging the fee shall collect such fee by retaining the amount of the fee from amounts collected pursuant to this subsection. Agencies may agree to pay through a different method, or to fund an activity from another account or from revenue received from the procedure described under section 3720C of this title. Amounts charged under this subsection concerning delinquent claims may be considered as costs pursuant to section 3717(e) of this title.

"(7) Notwithstanding any other law concerning the depositing and collection of Federal payments, including section 3302(b) of this title, agencies collecting fees may retain the fees from amounts collected. Any fee charged pursuant to this subsection shall be deposited into an account to be determined by the executive department or agency operating the debt collection center charging the fee (in this subsection referred to in this section as the 'Account').

Amounts deposited in the Account shall be available until expended to cover costs associated with the implementation and operation of Governmentwide debt collection activities. Costs properly chargeable to the Account include—

“(A) the costs of computer hardware and software, word processing and telecommunications equipment, and other equipment, supplies, and furniture;

“(B) personnel training and travel costs;

“(C) other personnel and administrative costs;

“(D) the costs of any contract for identification, billing, or collection services; and

“(E) reasonable costs incurred by the Secretary of the Treasury, including services and utilities provided by the Secretary, and administration of the Account.

“(8) Not later than January 1 of each year, there shall be deposited into the Treasury as miscellaneous receipts an amount equal to the amount of unobligated balances remaining in the Account at the close of business on September 30 of the preceding year, minus any part of such balance that the executive department or agency operating the debt collection center determines is necessary to cover or defray the costs under this subsection for the fiscal year in which the deposit is made.

“(9) Before discharging any delinquent debt owed to any executive, judicial, or legislative agency, the head of such agency shall take all appropriate steps to collect such debt, including (as applicable)—

“(A) administrative offset,

“(B) tax refund offset,

“(C) Federal salary offset,

“(D) referral to private collection contractors,

“(E) referral to agencies operating a debt collection center,

“(F) reporting delinquencies to credit reporting bureaus,

“(G) garnishing the wages of delinquent debtors, and

“(H) litigation or foreclosure.

“(10) To carry out the purposes of this subsection, the Secretary of the Treasury may prescribe such rules, regulations, and procedures as the Secretary considers necessary and transfer such funds from funds appropriated to the Department of the Treasury as may be necessary to meet existing liabilities and obligations incurred prior to the receipt of revenues that result from debt collections.

“(h)(1) The head of an executive, judicial, or legislative agency acting under subsection (a)(1), (2), or (3) of this section to collect a claim, compromise a claim, or terminate collection action on a claim may obtain a consumer report (as that term is defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) or comparable credit information on any person who is liable for the claim.

“(2) The obtaining of a consumer report under this subsection is deemed to be a circumstance or purpose authorized or listed under section 604 of the Fair Credit Reporting Act (15 U.S.C. 1681b).”

(2) RETURNS RELATING TO CANCELLATION OF INDEBTEDNESS BY CERTAIN ENTITIES.—

(A) IN GENERAL.—Subsection (a) of section 6050P of the Internal Revenue Code of 1986 (relating to returns relating to the cancellation of indebtedness by certain financial entities) is amended by striking “applicable financial entity” and inserting “applicable entity”.

(B) ENTITIES TO WHICH REQUIREMENT APPLIES.—Subsection (c) of section 6050P of such Code is amended—

(i) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively, and inserting before paragraph (2) (as so redesignated) the following new paragraph:

“(1) APPLICABLE ENTITY.—The term ‘applicable entity’ means—

“(A) an executive, judicial, or legislative agency (as defined in section 3701(a)(4) of title 31, United States Code), and

“(B) an applicable financial entity.”; and

(ii) in paragraph (3), as so redesignated, by striking “(1)(B)” and inserting “(1)(A) or (2)(B)”.

(C) ALTERNATIVE PROCEDURE.—Section 6050P of such Code is amended by adding at the end the following new subsection:

“(e) ALTERNATIVE PROCEDURE.—In lieu of making a return required under subsection (a), an agency described in subsection (c)(1)(A) may submit to the Secretary (at such time and in such form as the Secretary may by regulations prescribe) information sufficient for the Secretary to complete such a return on behalf of such agency. Upon receipt of such information, the Secretary shall complete such return and provide a copy of such return to such agency.”

(D) CONFORMING AMENDMENTS.—

(i) Subsection (d) of section 6050P of such Code is amended by striking “applicable financial entity” and inserting “applicable entity”.

(ii) The heading of section 6050P of such Code is amended to read as follows:

“SEC. 6050P. RETURNS RELATING TO THE CANCELLATION OF INDEBTEDNESS BY CERTAIN ENTITIES.”

(iii) The table of sections for subpart B of part III of subchapter A of chapter 61 of such Code is amended by striking the item relating to section 6050P and inserting the following new item:

“Sec. 6050P. Returns relating to the cancellation of indebtedness by certain entities.”

(n) Effective October 1, 1995, section 11 of the Administrative Dispute Resolution Act (Public Law 101-552, 5 U.S.C. 571 note) shall not apply to the amendment made by section 8(b) of such Act.

(o)(1) IN GENERAL.—Chapter 37 of title 31, United States Code, is amended in subchapter II by adding after section 3720C, as added by subsection (t) of this section, the following new section:

#### “§ 3720D. Garnishment

“(a) Notwithstanding any provision of State law, the head of an executive, judicial, or legislative agency that administers a program that gives rise to a delinquent nontax debt owed to the United States by an individual may in accordance with this section garnish the disposable pay of the individual to collect the amount owed, if the individual is not currently making required repayment in accordance with any agreement between the agency head and the individual.

“(b) In carrying out any garnishment of disposable pay of an individual under subsection (a), the head of an executive, judicial, or legislative agency shall comply with the following requirements:

“(1) The amount deducted under this section for any pay period may not exceed 15 percent of disposable pay, except that a greater percentage may be deducted with the written consent of the individual.

“(2) The individual shall be provided written notice, sent by mail to the individual's last known address, a minimum of 30 days prior to the initiation of proceedings, from the head of the executive, judicial, or legislative agency, informing the individual of—

“(A) the nature and amount of the debt to be collected;

“(B) the intention of the agency to initiate proceedings to collect the debt through deductions from pay; and

“(C) an explanation of the rights of the individual under this section.

“(3) The individual shall be provided an opportunity to inspect and copy records relating to the debt.

“(4) The individual shall be provided an opportunity to enter into a written agreement with the executive, judicial, or legislative agency, under terms agreeable to the head of the agency, to establish a schedule for repayment of the debt.

“(5) The individual shall be provided an opportunity for a hearing in accordance with subsection (c) on the determination of the head of the executive, judicial, or legislative agency concerning—

“(A) the existence or the amount of the debt, and

“(B) in the case of an individual whose repayment schedule is established other than by a written agreement pursuant to paragraph (4), the terms of the repayment schedule.

“(6) If the individual has been reemployed within 12 months after having been involuntarily separated from employment, no amount may be deducted from the disposable pay of the individual until the individual has been reemployed continuously for at least 12 months.

“(c)(1) A hearing under subsection (b)(5) shall be provided prior to issuance of a garnishment order if the individual, on or before the 15th day following the mailing of the notice described in subsection (b)(2), and in accordance with such procedures as the head of the executive, judicial, or legislative agency may prescribe, files a petition requesting such a hearing.

“(2) If the individual does not file a petition requesting a hearing prior to such date, the head of the agency shall provide the individual a hearing under subsection (a)(5) upon request, but such hearing need not be provided prior to issuance of a garnishment order.

“(3) The hearing official shall issue a final decision at the earliest practicable date, but not later than 60 days after the filing of the petition requesting the hearing.

“(d) The notice to the employer of the withholding order shall contain only such information as may be necessary for the employer to comply with the withholding order.

“(e)(1) An employer may not discharge from employment, refuse to employ, or take disciplinary action against an individual subject to wage withholding in accordance with this section by reason of the fact that the individual's wages have been subject to garnishment under this section, and such individual may sue in a State or Federal court of competent jurisdiction any employer who takes such action.

“(2) The court shall award attorneys' fees to a prevailing employee and, in its discretion, may order reinstatement of the individual, award punitive damages and back pay to the employee, or order such other remedy as may be reasonably necessary.

“(f)(1) The employer of an individual—

“(A) shall pay to the head of an executive, judicial, or legislative agency as directed in a withholding order issued in an action under this section with respect to the individual, and

“(B) shall be liable for any amount that the employer fails to withhold from wages due an employee following receipt by such employer of notice of the withholding order, plus attorneys' fees, costs, and, in the court's discretion, punitive damages.

“(2)(A) The head of an executive, judicial, or legislative agency may sue an employer in a State or Federal court of competent jurisdiction to recover amounts for which the employer is liable under paragraph (1)(B).

“(B) A suit under this paragraph may not be filed before the termination of the collection action, unless earlier filing is necessary to avoid expiration of any applicable statute of limitations period.

“(3) Notwithstanding paragraphs (1) and (2), an employer shall not be required to vary its normal pay and disbursement cycles in order to comply with this subsection.

“(g) For the purpose of this section, the term ‘disposable pay’ means that part of the compensation of any individual from an employer remaining after the deduction of any amounts required by any other law to be withheld.

“(h) The Secretary of the Treasury shall issue regulations to implement this section.”

(2) CLERICAL AMENDMENT.—The table of sections for subchapter II of chapter 37 of title 31,

United States Code, is amended by inserting after the item relating to section 3720C (as added by subsection (t) of this section) the following new item:

“3720D. Garnishment.”.

(p) Section 3711 of title 31, United States Code, as amended by subsection (m) of this section, is further amended by adding at the end the following new subsection:

“(i)(1) The head of an executive, judicial, or legislative agency may sell, subject to section 504(b) of the Federal Credit Reform Act of 1990 and using competitive procedures, any nontax debt owed to the United States that is delinquent for more than 90 days. Appropriate fees charged by a contractor to assist in the conduct of a sale under this subsection may be payable from the proceeds of the sale.

“(2) After terminating collection action, the head of an executive, judicial, or legislative agency shall sell, using competitive procedures, any nontax debt or class of nontax debts owed to the United States, if the Secretary of the Treasury determines the sale is in the best interests of the United States.

“(3) Sales of nontax debt under this subsection—

“(A) shall be for—

“(i) cash, or

“(ii) cash and a residuary equity or profit participation, if the head of the agency reasonably determines that the proceeds will be greater than sale solely for cash,

“(B) shall be without recourse, but may include the use of guarantees if otherwise authorized, and

“(C) shall transfer to the purchaser all rights of the Government to demand payment of the nontax debt, other than with respect to a residuary equity or profit participation under subparagraph (A)(ii).

“(4)(A) Within one year after the date of enactment of the Debt Collection Improvement Act of 1996, each executive agency with current and delinquent collateralized nontax debts shall report to the Congress on the valuation of its existing portfolio of loans, notes and guarantees, and other collateralized debts based on standards developed by the Director of the Office of Management and Budget, in consultation with the Secretary of the Treasury.

“(B) The Director of the Office of Management and Budget shall determine what information is required to be reported to comply with subparagraph (A). At a minimum, for each financing account and for each liquidating account (as those terms are defined in sections 502(7) and 502(8), respectively, of the Federal Credit Reform Act of 1990) the following information shall be reported:

“(i) The cumulative balance of current debts outstanding, the estimated net present value of such debts, the annual administrative expenses of those debts (including the portion of salaries and expenses that are directly related thereto), and the estimated net proceeds that would be received by the Government if such debts were sold.

“(ii) The cumulative balance of delinquent debts, debts outstanding, the estimated net present value of such debts, the annual administrative expenses of those debts (including the portion of salaries and expenses that are directly related thereto), and the estimated net proceeds that would be received by the Government if such debts were sold.

“(iii) The cumulative balance of guaranteed loans outstanding, the estimated net present value of such guarantees, the annual administrative expenses of such guarantees (including the portion of salaries and expenses that are directly related to such guaranteed loans), and the estimated net proceeds that would be received by the Government if such loan guarantees were sold.

“(iv) The cumulative balance of defaulted loans that were previously guaranteed and have

resulted in loans receivables, the estimated net present value of such loan assets, the annual administrative expenses of such loan assets (including the portion of salaries and expenses that are directly related to such loan assets), and the estimated net proceeds that would be received by the Government if such loan assets were sold.

“(v) The marketability of all debts.

“(5) This subsection is not intended to limit existing statutory authority of agencies to sell loans, debts, or other assets.”.

(q) Section 3717 of title 31, United States Code, is amended by adding at the end of subsection (h) the following new subsection:

“(i)(1) The head of an executive, judicial, or legislative agency may increase an administrative claim by the cost of living adjustment in lieu of charging interest and penalties under this section. Adjustments under this subsection will be computed annually.

“(2) For the purpose of this subsection—

“(A) the term ‘cost of living adjustment’ means the percentage by which the Consumer Price Index for the month of June of the calendar year preceding the adjustment exceeds the Consumer Price Index for the month of June of the calendar year in which the claim was determined or last adjusted; and

“(B) the term ‘administrative claim’ includes all debt that is not based on an extension of Government credit through direct loans, loan guarantees, or insurance, including fines, penalties, and overpayments.”.

(r)(1) IN GENERAL.—Chapter 37 of title 31, United States Code, is amended in subchapter II by adding after section 3720D, as added by subsection (o) of this section, the following new section:

**“§3720E. Dissemination of information regarding identity of delinquent debtors**

“(a) The head of any agency may, with the review of the Secretary of the Treasury, for the purpose of collecting any delinquent nontax debt owed by any person, publish or otherwise publicly disseminate information regarding the identity of the person and the existence of the nontax debt.

“(b)(1) The Secretary of the Treasury, in consultation with the Director of the Office of Management and Budget and the heads of other appropriate Federal agencies, shall issue regulations establishing procedures and requirements the Secretary considers appropriate to carry out this section.

“(2) Regulations under this subsection shall include—

“(A) standards for disseminating information that maximize collections of delinquent nontax debts, by directing actions under this section toward delinquent debtors that have assets or income sufficient to pay their delinquent nontax debt;

“(B) procedures and requirements that prevent dissemination of information under this section regarding persons who have not had an opportunity to verify, contest, and compromise their nontax debt in accordance with this subchapter; and

“(C) procedures to ensure that persons are not incorrectly identified pursuant to this section.”.

(2) CLERICAL AMENDMENT.—The table of sections for subchapter II of chapter 37 of title 31, United States Code, is amended by adding after the item relating to section 3720D (as added by subsection (o) of this section) the following new item:

“3720E. Dissemination of information regarding identity of delinquent debtors.”.

(s)(1) IN GENERAL.—The Federal Civil Penalties Inflation Adjustment Act of 1990 (Public Law 101-410, 104 Stat. 890; 28 U.S.C. 2461 note) is amended—

(A) by amending section 4 to read as follows:

“SEC. 4. The head of each agency shall, not later than 180 days after the date of enactment of the Debt Collection Improvement Act of 1996, and at least once every 4 years thereafter—

“(1) by regulation adjust each civil monetary penalty provided by law within the jurisdiction of the Federal agency, except for any penalty (including any addition to tax and additional amount) under the Internal Revenue Code of 1986, the Tariff Act of 1930, the Occupational Safety and Health Act of 1970, or the Social Security Act, by the inflation adjustment described under section 5 of this Act; and

“(2) publish each such regulation in the Federal Register.”;

(B) in section 5(a), by striking “The adjustment described under paragraphs (4) and (5)(A) of section 4” and inserting “The inflation adjustment under section 4”;

(C) by adding at the end the following new section:

“SEC. 7. Any increase under this Act in a civil monetary penalty shall apply only to violations which occur after the date the increase takes effect.”.

(2) LIMITATION ON INITIAL ADJUSTMENT.—The first adjustment of a civil monetary penalty made pursuant to the amendment made by paragraph (1) may not exceed 10 percent of such penalty.

(t)(1) IN GENERAL.—Title 31, United States Code, is amended by inserting after section 3720B (as added by subsection (j) of this section) the following new section:

**“§3720C. Debt Collection Improvement Account**

“(a)(1) There is hereby established in the Treasury a special fund to be known as the ‘Debt Collection Improvement Account’ (hereinafter in this section referred to as the ‘Account’).

“(2) The Account shall be maintained and managed by the Secretary of the Treasury, who shall ensure that agency programs are credited with amounts transferred under subsection (b)(1).

“(b)(1) Not later than 30 days after the end of a fiscal year, an agency may transfer to the Account the amount described in paragraph (3), as adjusted under paragraph (4).

“(2) Agency transfers to the Account may include collections from—

“(A) salary, administrative, and tax refund offsets;

“(B) the Department of Justice;

“(C) private collection agencies;

“(D) sales of delinquent loans; and

“(E) contracts to locate or recover assets.

“(3) The amount referred to in paragraph (1) shall be 5 percent of the amount of delinquent debt collected by an agency in a fiscal year, minus the greater of—

“(A) 5 percent of the amount of delinquent nontax debt collected by the agency in the previous fiscal year, or

“(B) 5 percent of the average annual amount of delinquent nontax debt collected by the agency in the previous 4 fiscal years.

“(4) In consultation with the Secretary of the Treasury, the Office of Management and Budget may adjust the amount described in paragraph (3) for an agency to reflect the level of effort in credit management programs by the agency. As an indicator of the level of effort in credit management, the Office of Management and Budget shall consider the following:

“(A) The number of days between the date a claim or debt became delinquent and the date which an agency referred the debt or claim to the Secretary of the Treasury or obtained an exemption from this referral under section 3711(g)(2) of this title.

“(B) The ratio of delinquent debts or claims to total receivables for a given program, and the change in this ratio over a period of time.

“(c)(1) The Secretary of the Treasury may make payments from the Account solely to reimburse agencies for qualified expenses. For agencies with franchise funds, such payments may be credited to subaccounts designated for debt collection.

"(2) For purposes of this section, the term 'qualified expenses' means expenditures for the improvement of credit management, debt collection, and debt recovery activities, including—

"(A) account servicing (including cross-servicing under section 3711(g) of this title),

"(B) automatic data processing equipment acquisitions,

"(C) delinquent debt collection,

"(D) measures to minimize delinquent debt,

"(E) sales of delinquent debt,

"(F) asset disposition, and

"(G) training of personnel involved in credit and debt management.

"(3)(A) Amounts transferred to the Account shall be available to the Secretary of the Treasury for purposes of this section to the extent and in amounts provided in advance in appropriations Acts.

"(B) As soon as practicable after the end of the third fiscal year after which amounts transferred are first available pursuant to this section, and every 3 years thereafter, any uncommitted balance in the Account shall be transferred to the general fund of the Treasury as miscellaneous receipts.

"(d) For direct loans and loan guarantee programs subject to title V of the Congressional Budget Act of 1974, amounts credited in accordance with subsection (c) shall be considered administrative costs.

"(e) The Secretary of the Treasury shall prescribe such rules, regulations, and procedures as the Secretary considers necessary or appropriate to carry out the purposes of this section."

(2) CLERICAL AMENDMENT.—The table of sections for chapter 37 of title 31, United States Code, is amended by inserting after the item relating to section 3720B (as added by subsection (j) of this section) the following new item:

"3720C. Debt Collection Improvement Account."

(u)(1) DISCRETIONARY AUTHORITY.—Section 3720A of title 31, United States Code, is amended by adding after subsection (h) the following new subsection:

"(i) An agency subject to section 9 of the Act of May 18, 1933 (16 U.S.C. 831h), may implement this section at its discretion."

(2) FEDERAL AGENCY DEFINED.—Section 6402(f) of the Internal Revenue Code of 1986 (26 U.S.C. 6402(f)) is amended to read as follows:

"(f) FEDERAL AGENCY.—For purposes of this section, the term 'Federal agency' means a department, agency, or instrumentality of the United States, and includes a Government corporation (as such term is defined in section 103 of title 5, United States Code)."

(v)(1) NOTIFICATION OF SECRETARY OF THE TREASURY.—Section 3720A(a) of title 31, United States Code, is amended to read as follows:

"(a) Any Federal agency that is owed by a person a past-due, legally enforceable debt (including debt administered by a third party acting as an agent for the Federal Government) shall, and any agency subject to section 9 of the Act of May 18, 1933 (16 U.S.C. 831h), owed such a debt may, in accordance with regulations issued pursuant to subsections (b) and (d), notify the Secretary of the Treasury at least once each year of the amount of such debt."

(2) IMPLEMENTATION OF SUPPORT COLLECTION BY SECRETARY OF THE TREASURY.—Section 464(a) of the Social Security Act (42 U.S.C. 664(a)) is amended—

(1) in paragraph (1), by adding at the end the following: "This subsection may be executed by the disbursing official of the Department of the Treasury."; and

(2) in paragraph (2)(A), by adding at the end the following: "This subsection may be executed by the Secretary of the Department of the Treasury or his designee."

(w) Section 3720A(h) of title 31, United States Code, is amended to read as follows:

"(h)(1) The disbursing official of the Department of the Treasury—

"(1) shall notify a taxpayer in writing of—

"(A) the occurrence of an offset to satisfy a past-due legally enforceable nontax debt;

"(B) the identity of the creditor agency requesting the offset; and

"(C) a contact point within the creditor agency that will handle concerns regarding the offset;

"(2) shall notify the Internal Revenue Service on a weekly basis of—

"(A) the occurrence of an offset to satisfy a past-due legally enforceable non-tax debt;

"(B) the amount of such offset; and

"(C) any other information required by regulations; and

"(3) shall match payment records with requests for offset by using a name control, taxpayer identifying number (as that term is used in section 6109 of the Internal Revenue Code of 1986), and any other necessary identifiers."

"(h)(2) The term 'disbursing official' of the Department of the Treasury means the Secretary or his designee."

(x)(1) AMENDMENTS RELATING TO ELECTRONIC FUNDS TRANSFER.—Section 3332 of title 31, United States Code, popularly known as the Federal Financial Management Act of 1994, is amended—

(A) by redesignating subsection (e) as subsection (h), and inserting after subsection (d) the following new subsections:

"(e)(1) Notwithstanding subsections (a) through (d) of this section, sections 5120 (a) and (d) of title 38, and any other provision of law, all Federal payments to a recipient who becomes eligible for that type of payment after 90 days after the date of the enactment of the Debt Collection Improvement Act of 1996 shall be made by electronic funds transfer.

"(2) The head of a Federal agency shall, with respect to Federal payments made or authorized by the agency, waive the application of paragraph (1) to a recipient of those payments upon receipt of written certification from the recipient that the recipient does not have an account with a financial institution or an authorized payment agent.

"(f)(1) Notwithstanding any other provision of law (including subsections (a) through (e) of this section and sections 5120 (a) and (d) of title 38), except as provided in paragraph (2) all Federal payments made after January 1, 1999, shall be made by electronic funds transfer.

"(2)(A) The Secretary of the Treasury may waive application of this subsection to payments—

"(i) for individuals or classes of individuals for whom compliance imposes a hardship;

"(ii) for classifications or types of checks; or

"(iii) in other circumstances as may be necessary.

"(B) The Secretary of the Treasury shall make determinations under subparagraph (A) based on standards developed by the Secretary.

"(g) Each recipient of Federal payments required to be made by electronic funds transfer shall—

"(1) designate 1 or more financial institutions or other authorized agents to which such payments shall be made; and

"(2) provide to the Federal agency that makes or authorizes the payments information necessary for the recipient to receive electronic funds transfer payments through each institution or agent designated under paragraph (1)."; and

(B) by adding after subsection (h) (as so redesignated) the following new subsections:

"(i)(1) The Secretary of the Treasury may prescribe regulations that the Secretary considers necessary to carry out this section.

"(2) Regulations under this subsection shall ensure that individuals required under subsection (g) to have an account at a financial institution because of the application of subsection (f)(1)—

"(A) will have access to such an account at a reasonable cost; and

"(B) are given the same consumer protections with respect to the account as other account holders at the same financial institution.

"(j) For purposes of this section—

"(1) The term 'electronic funds transfer' means any transfer of funds, other than a transaction originated by cash, check, or similar paper instrument, that is initiated through an electronic terminal, telephone, computer, or magnetic tape, for the purpose of ordering, instructing, or authorizing a financial institution to debit or credit an account. The term includes Automated Clearing House transfers, Fed Wire transfers, transfers made at automatic teller machines, and point-of-sale terminals.

"(2) The term 'Federal agency' means—

"(A) an agency (as defined in section 101 of this title); and

"(B) a Government corporation (as defined in section 103 of title 5).

"(3) The term 'Federal payments' includes—

"(A) Federal wage, salary, and retirement payments;

"(B) vendor and expense reimbursement payments; and

"(C) benefit payments.

Such term shall not include any payment under the Internal Revenue Code of 1986."

(2) AMENDMENTS RELATING TO SUBSTITUTE CHECKS.—Section 3331 of title 31, United States Code, is amended—

(A) in subsection (b), by striking "subsection (c)" and inserting "subsection (c) or (f)";

(B) by redesignating subsection (f) as subsection (g); and

(C) by inserting after subsection (e) the following new subsection:

"(f) The Secretary may waive any provision of this section as may be necessary to ensure that claimants receive timely payments."

(3) PERMANENT FUNDING OF THE CHECK FORGERY INSURANCE FUND.—Section 3343 of title 31, United States Code, is amended—

(A) in subsection (a), by amending the second sentence to read as follows: "Necessary amounts are hereafter appropriated to the Fund out of any moneys in the Treasury not otherwise appropriated, and shall remain available until expended to make the payments required or authorized under this section.";

(B) in subsection (b)—

(i) by inserting "in the determination of the Secretary the payee or special endorse establishes that" after "without interest if";

(ii) in paragraph (2), by inserting "and" after the semicolon;

(iii) in paragraph (3), by striking "and" and inserting a period; and

(iv) by striking paragraph (4);

(C) in subsection (d), by inserting after the first sentence the following new sentence: "The Secretary may use amounts in the Fund to reimburse payment certifying or authorizing agencies for any payment that the Secretary determines would otherwise have been payable from the Fund, and may reimburse certifying or authorizing agencies with amounts recovered because of payee nonentitlement.";

(D) by redesignating subsection (e) as subsection (g); and

(E) by inserting after subsection (d) the following new subsections:

"(e) The Secretary may waive any provision of this section as may be necessary to ensure that claimants receive timely payments.

"(f) Under such conditions as the Secretary may prescribe, the Secretary may delegate duties and powers of the Secretary under this section to the head of an agency. Consistent with a delegation from the Secretary under this subsection, the head of an agency may redelegate those duties and powers to officers or employees of the agency."

(y) Section 3325 of title 31, United States Code, is amended by adding at the end the following new subsection:

"(d) The head of an executive agency or an officer or employee of an executive agency referred to in subsection (a)(1)(B), as applicable,

shall include with each certified voucher submitted to a disbursing official pursuant to this section the taxpayer identifying number of each person to whom payment may be made under the voucher."

(2)(I) IN GENERAL.—Section 3701 of title 31, United States Code, is amended—

(A) by amending subsection (a)(1) to read as follows:

"(I) 'administrative offset' means withholding funds payable by the United States (including funds payable by the United States on behalf of a State government) to, or held by the United States for, a person to satisfy a claim.";

(B) by amending subsection (b) to read as follows:

"(b)(1) In subchapter II of this chapter and subsection (a)(8) of this section, the term 'claim' or 'debt' means any amount of funds or property that has been determined by an appropriate official of the Federal Government to be owed to the United States by a person, organization, or entity other than another Federal agency. A claim includes, without limitation—

"(A) funds owed on account of loans made, insured, or guaranteed by the Government, including any deficiency or any difference between the price obtained by the Government in the sale of a property and the amount owed to the Government on a mortgage on the property, "(B) expenditures of nonappropriated funds, "(C) over-payments, including payments disallowed by audits performed by the Inspector General of the agency administering the program, "(D) any amount the United States is authorized by statute to collect for the benefit of any person, "(E) the unpaid share of any non-Federal partner in a program involving a Federal payment and a matching, or cost-sharing, payment by the non-Federal partner, "(F) any fines or penalties assessed by an agency; and "(G) other amounts of money or property owed to the Government.

"(2) For purposes of section 3716 of this title, each of the terms 'claim' and 'debt' includes an amount of funds or property owed by a person to a State (including any past-due support being enforced by the State), the District of Columbia, American Samoa, Guam, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, or the Commonwealth of Puerto Rico.";

(C) by adding after subsection (d) the following new subsection:

"(e) In section 3716 of this title— "(1) 'creditor agency' means any agency owed a claim that seeks to collect that claim through administrative offset; and "(2) 'payment certifying agency' means any agency that has transmitted a voucher to a disbursing official for disbursement.

"(f) In section 3711 of this title, 'private collection contractor' means private debt collectors under contract with an agency to collect a nontax debt or claim owed the United States. The term includes private debt collectors, collection agencies, and commercial attorneys.";

(D) by amending subsection (d) to read as follows:

"(d) Sections 3711(f) and 3716–3719 of this title do not apply to a claim or debt under, or to an amount payable under— "(1) the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.), "(2) the Social Security Act (42 U.S.C. 301 et seq.), except to the extent provided under section 204(f) of such Act and section 3716(c) of this title, or "(3) the tariff laws of the United States.";

(2) SOCIAL SECURITY.—

(A) APPLICATION OF AMENDMENTS MADE BY THIS ACT.—Subsection (f) of section 204 of the Social Security Act (42 U.S.C. 404) is amended to read as follows:

"(f)(1) With respect to any delinquent amount, the Commissioner of Social Security may use the

collection practices described in sections 3711(f), 3716, 3717, and 3718 of title 31, United States Code and in section 5514 of title 5, United States Code, as in effect immediately after the enactment of the Debt Collection Improvement Act of 1996."

(B) PERMANENT APPLICATION.—Subsection (c) of section 5 of the Social Security Domestic Reform Act of 1994 (Public Law 103–387) is amended by striking "and before" and all that follows and inserting a period.

(aa)(1) GUIDELINES.—The Secretary of the Treasury, in consultation with concerned Federal agencies, may establish guidelines, including information on outstanding debt, to assist agencies in the performance and monitoring of debt collection activities.

(2) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary of the Treasury shall report to the Congress on collection services provided by Federal agencies or entities collecting debt on behalf of other Federal agencies under the authorities contained in section 3711(g) of title 31, United States Code, as added by subsection (m) of this section.

(3) AGENCY REPORTS.—Section 3719 of title 31, United States Code, is amended—

(A) in subsection (a)— "(i) by amending the first sentence to read as follows: "In consultation with the Comptroller General of the United States, the Secretary of the Treasury shall prescribe regulations requiring the head of each agency with outstanding nontax claims to prepare and submit to the Secretary at least once each year a report summarizing the status of loans and accounts receivable that are managed by the head of the agency."; and

(ii) in paragraph (3), by striking "Director" and inserting "Secretary"; and

(B) in subsection (b), by striking "Director" and inserting "Secretary".

(4) CONSOLIDATION OF REPORTS.—Notwithstanding any other provision of law, the Secretary of the Treasury may consolidate reports concerning debt collection otherwise required to be submitted by the Secretary into one annual report.

(bb) The Director of the Office of Management and Budget shall—

(1) review the standards and policies of each Federal agency for compromising, writing-down, forgiving, or discharging indebtedness arising from programs of the agency;

(2) determine whether those standards and policies are consistent and protect the interests of the United States;

(3) in the case of any Federal agency standard or policy that the Director determines is not consistent or does not protect the interests of the United States, direct the head of the agency to make appropriate modifications to the standard or policy; and

(4) report annually to the Congress on—

(A) deficiencies in the standards and policies of Federal agencies for compromising, writing-down, forgiving, or discharging indebtedness; and

(B) progress made in improving those standards and policies.

(cc)(1) ELIMINATION OF MINIMUM NUMBER OF CONTRACTS.—Section 3718(b)(1)(A) of title 31, United States Code, is amended by striking the fourth sentence.

(2) REPEAL.—Sections 3 and 5 of the Act of October 28, 1986 (popularly known as the Federal Debt Recovery Act; Public Law 99–578, 100 Stat. 3305) are hereby repealed.

FEDERAL ADMINISTRATIVE AND PERSONAL SERVICES EXPENSES

(RESCISSIONS)

SEC. 31002. (a) Of the funds available to the agencies of the Federal Government, \$500,000,000 are hereby rescinded: Provided, That rescissions pursuant to this paragraph shall be taken only from administrative and personal services and contractual services and supplies accounts: Pro-

vided further, That rescissions shall be taken on a pro rata basis from funds available to every Federal agency, department, and office in the Executive Branch, including the Office of the President.

(b) Within 30 days of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House and Senate a listing of the amounts by account of the reductions made pursuant to the provisions of subsections (a) and (b) of this section.

This Act may be cited as the "Omnibus Consolidated Rescissions and Appropriations Act of 1996".

And the Senate agree to the same.

#### JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing vote of the two Houses on the amendment of the Senate to the bill (H.R. 3019) making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effects of the action agreed upon by the managers and recommended in the accompanying report.

Report language included by the Senate in the report accompanying S. 1594 (S. Rept. 104–236) which is not changed by the conference are approved by the committee of conference. The statement of the managers while repeating some report language for emphasis, is not intended to negate the language referred to above unless expressly provided herein.

#### TITLE I—OMNIBUS APPROPRIATIONS DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES

Sec. 101.(a).—The text of the language included under section 101(a) of this conference agreement represents the final agreement on appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies for fiscal year 1996, with the exception of those Department of Justice General Provisions that were enacted into law in Public Law 104–99. It marks the end of the process that began with H.R. 2076, reported by the House Committee on Appropriations (H. Rep. 104–196) on July 19, 1995, and passed by the House on July 26, 1995. The bill was then reported by the Senate Committee on Appropriations (S. Rep. 104–139) on September 12, 1995, and passed by the Senate on September 29, 1995. The conference report (H. Rep. 104–378, \* print) was filed on December 1, 1995, and adopted in the House on December 6, 1995, and in the Senate on December 7, 1995. The President vetoed the bill on December 19, 1995, and on January 3, 1996, although a majority of the House voted for the conference report, the House did not override the veto by the required two-thirds vote. Since that time, funding for many of the programs in this bill has been provided on a temporary basis, although a number of critical law enforcement, judicial, consular, diplomatic security, and small business programs were provided full-year spending authority. While this conference agreement includes the full text of the fiscal year 1996 Commerce, Justice, and State, the Judiciary, and Related Agencies appropriations bill, with the exception noted above, much of the language is identical to the language included in the conference report on H.R. 2076. As a result, only the changes from the conference report on H.R. 2076 are addressed in the statement of managers that follows. With the exceptions that follow, the statement of managers in the conference report



on H.R. 2076 (H. Rep. 104-378, \* print) and the applicable portions of the House and Senate reports on H.R. 2076, remain controlling and are incorporated by reference.

#### DEPARTMENT OF JUSTICE

##### GENERAL ADMINISTRATION SALARIES AND EXPENSES

The conference agreement includes \$74,282,000 for General Administration, as provided in both the House and Senate bills. The conference agreement also includes a provision that modifies the language, proposed in the House bill and not included in the Senate bill, that limits the number of positions and amounts for the Department Leadership program. The conference agreement does not limit funding under the Department Leadership program to the Offices of the Attorney General and the Deputy Attorney General, as proposed in the House bill. The Senate bill did not include this provision.

##### COUNTERTERRORISM FUND

The conference agreement includes \$16,898,000 for the Counterterrorism Fund, as provided in both the House and Senate bills. The conferees understand that balances of \$24,445,000 remain available from the 1995 Supplemental Appropriation, Public Law 104-19, for authorized purposes of this Fund. The Senate bill included a provision in Title III which designated \$7,000,000 for emergency expenses to enhance Federal Bureau of Investigation (FBI) efforts in the United States to combat Middle Eastern terrorism, including efforts to prevent fundraising in the United States on the behalf of organizations that support terrorism to undermine the peace process. These funds would have been available only pursuant to an official budget request that declares the funds to be an emergency.

The conferees support the purposes set forth in the Senate amendment. However, the conferees have not included the emergency appropriation for the FBI proposed by the Senate because the conferees were informed that the Department of Justice did not plan to submit an emergency request for funding as required by the Senate bill and the Department of Justice currently has sufficient funding available to enhance the FBI's efforts to combat the flow of dollars to support Middle Eastern terrorism. The conferees note that there are funding balances available in the Department of Justice Counterterrorism Fund which can be applied to this effort. Accordingly, the Attorney General is directed to submit a proposal by May 15, 1996 to the House and Senate Committees on Appropriations to reprogram no less than \$4,000,000 in funds from the Counterterrorism Fund to enable the FBI to carry out enhanced efforts in the United States to combat Middle Eastern terrorism, and specifically to enhance FBI efforts to prevent fundraising on behalf of organizations that promote terrorism.

##### LEGAL ACTIVITIES

##### SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

The conferees are concerned about growing detention needs identified by the Marshals Service in many areas of the country. The conferees understand that the General Services Administration is planning a shared-use detention facility adjacent to the new courthouse in Portland, Oregon, and expect the Department of Justice to fully cooperate in this planning effort.

##### SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

The conference agreement provides \$5,319,000 for the Community Relations Service (CRS) as proposed by both the House and

Senate. The conferees have also agreed to include a provision added by the Senate, which allows the transfer of additional amounts, pursuant to reprogramming requirements under section 605, if the Attorney General determines that emergent circumstances require additional funding for conflict prevention and resolution activities. The language included in the Senate bill has been modified to assure that the transfer will not be subject to limitations that apply to other Department of Justice transfers.

##### FEDERAL BUREAU OF INVESTIGATION SALARIES AND EXPENSES (INCLUDING TRANSFER OF FUNDS)

The conference agreement includes \$2,407,483,000 as proposed by both the House and Senate. Of the amount in the House and Senate bills, \$9,500,000 was provided for the FBI to purchase DNA equipment for State and local forensic laboratories. The conferees have agreed to expand the allowed use of these funds, and make up to the full \$9,500,000 available for a new State Identification Grants project which would allow States to purchase computerized identification systems that are compatible and integrated with the National Crime Information Center and the Integrated Automated Fingerprint Identification Systems of the FBI. Funds would only be available for this new purpose upon enactment of an authorization. The Senate bill, in section 118, included the authorization and funding for this program. The House bill did not contain a provision on this matter.

The conferees have also included a technical change to clarify that funds provided for the Department of Justice Working Capital Fund to support the NCIC 2000 project are in addition to funds provided under this heading.

##### DRUG ENFORCEMENT ADMINISTRATION SALARIES AND EXPENSES

The conference agreement includes \$810,168,000 for the salaries and expenses of the Drug Enforcement Administration (DEA) as proposed by the Senate, instead of \$805,688,000 as proposed by the House. The additional funds are to support DEA's enforcement activities on the Southwest border and in rural communities.

##### IMMIGRATION AND NATURALIZATION SERVICE SALARIES AND EXPENSES

The conference agreement includes a technical change to amounts made available through fiscal year 1997, to reflect a bipartisan, bicameral agreement with the Administration on INS training and hiring priorities for fiscal year 1996, as proposed by both the House and Senate bills. The conference agreement also corrects a technical error in the amounts allocated under the Violent Crime Reduction Trust Fund, as proposed by both the House and Senate bills.

*Realignment of Border Patrol positions from interior stations.*—The conferees are concerned with the manner in which INS is developing its plan to realign Border Patrol positions from the interior to the front lines of the border. In an effort to balance the goal of the Congress to add 1,000 Border Patrol agents to the front lines of the border and the concerns of the Department of Justice and INS over the ability to hire and train a growing workforce of inexperienced agents, the Committees provided resources for 800 new Border Patrol agents and the realignment of 200 Border Patrol agent positions from interior locations to the front lines of the border. On February 1, 1996, the Committees provided guidance to the Department of Justice on how INS should implement this realignment. Specifically, the Committee directed that any agent redeployment to the

border should not create a void in the INS enforcement presence in interior locations and that the backfill plan for affected interior posts should include the following considerations: (1) personnel/relocation issues of agents currently occupying interior positions; (2) the appropriate mix of personnel required to maintain the current functions and activities in interior locations; and (3) the number of INS personnel in interior locations should be maintained unless local law enforcement and other elected officials have had an opportunity to review and comment on any proposed reduction in personnel at any of these posts. The conferees are aware that there is concern in some communities about the potential effect of removing a uniformed presence of immigration officers from these locations. The conferees recognize that in some interior stations, particularly those located in Southwest border States, the "mix" of personnel should not be limited to INS officers, but should be comprised of a balanced mix of both Border Patrol agents and INS officers, with each carrying out the functions for which they are trained. The conferees therefore direct INS to adjust any preliminary plans to realign all Border Patrol agent positions from any one interior location to address the need to continue the functions and activities at current levels that require uniformed Border Patrol agents. Furthermore, the conferees expect INS to submit a redeployment plan that addresses these concerns for approval by the Committees on Appropriations of both the House and Senate by May 15, 1996.

##### FEDERAL PRISON SYSTEM SALARIES AND EXPENSES

The conferees are aware of a recent report issued by the National Institute of Corrections (NIC) which identifies serious problems with regard to the District of Columbia Department of Corrections operation of and facilities located at the Lorton Correctional Complex. Pursuant to the relevant section of the District of Columbia Appropriations Chapter, the conferees direct that the Bureau of Prisons spend \$200,000 of the amount provided for the NIC to do a study, on behalf of the District of Columbia, for alternatives to correct the problems identified in the recent NIC report. The conferees direct that this plan be completed by December 31, 1996 and forwarded to the President, Congress, and the District of Columbia Financial Responsibility and Management Assistance Authority.

##### OFFICE OF JUSTICE PROGRAMS STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE VIOLENT CRIME REDUCTION TRUST FUND PROGRAMS

*Local Law Enforcement Block Grant.*—The conference agreement includes \$503,000,000 for the Local Law Enforcement Block Grant program, instead of \$1,903,000,000 as proposed by the House and \$783,000,000 as proposed by the Senate. Of this amount, the conference agreement provides \$11,000,000 for the Boys and Girls Clubs of America, \$15,000,000 for the Metropolitan Police Department in Washington, D.C. and up to \$18,000,000 for drug courts subject to the reprogramming requirement in section 605. The Senate bill included \$20,000,000 for the Boys and Girls Clubs of America, \$20,000,000 for the Metropolitan Police Department in Washington, D.C. and \$25,000,000 for drug courts. The House bill did not include separate earmarks for these programs.

As proposed in both bills, the conference agreement provides that the funding will be distributed to local governments under the allocation and purposes set forth in H.R. 728, as passed by the House of Representatives on

February 14, 1995, with some modifications included in the conference report on H.R. 2076. The conferees have added language to recognize Puerto Rico as a unit of local government for the purpose of allocation of these funds and have added language prohibiting the use of grants awarded under the block grant as matching funds for any other Federal grant program.

The conferees have also agreed that the funding provided under the block grant for Boys and Girls Clubs of America is made available for the same purposes and in the same manner as funds appropriated under previous appropriations acts for the Department of Justice and will continue to be matched at no less than the same ratio to private sector funds for the establishment of new Boys and Girls Clubs. The conferees expect that this funding will provide at least 100 new Boys and Girls Clubs to serve up to 100,000 children throughout the United States.

In addition, the conferees are aware of the negative impact that the financial crisis in the Nation's Capital has had on the Metropolitan Police Department's ability to effectively fight crime and have provided \$15,000,000 specifically for this purpose, in lieu of any funds that would have been available under the formula allocation of the block grant. This is of great concern to the citizens of the city, the Mayor, the District Council, the D.C. Financial Responsibility Authority and the Congress. The amounts provided are intended to support the priorities identified by the Chief of Police to supplement budgeted amounts for the MPD as part of a long-range strategy. The conferees agree that the allocation of these funds is to be made by the Chief of Police, after appropriate consultation with the Committees on Appropriations and the Committees on Judiciary of both the House and Senate. The conferees have included language requiring that these funds, as other Federal funds appropriated to the District, are to be held by the Control Authority and allocated to the MPD by the Authority, based on compliance with the Chief of Police's plan.

The conference agreement does not include \$80,000,000 for the Crime Prevention Block Grant program authorized in Subtitle B of title III of the 1994 Crime Bill, as proposed by the Senate. The House bill did not include funding for this program.

#### COMMUNITY ORIENTED POLICING SERVICES DISTRICT OF COLUMBIA

Section 101(b) of H.R. 3019 provides appropriations for programs, projects and activities provided for in the conference report (House Report 104-455 filed January 31, 1996) that accompanied the District of Columbia Appropriations Act, 1996 (H.R. 2546). The conference report was adopted in the House of Representatives on January 31, 1996, but was not voted on by the Senate because of a filibuster. The Senate voted on a motion to invoke cloture and close further debate on four separate occasions. The required 60 votes were not attained on any of those votes which occurred on February 27, 1996 (54-44); February 29, 1996 (52-42); March 5, 1996 (53-43); and March 12, 1996 (56-44). H.R. 3019 as passed the House on March 7, 1996, did not include funding for the District of Columbia government; however, the bill as passed the Senate on March 19, 1996, included the conference report (House Report 104-455) that accompanied H.R. 2546 with certain modifications that are explained later in this statement. The language and allocations set forth in House Report 104-294, Senate Report 104-144, and House Report 104-455 are to be complied with unless specifically addressed to the contrary in the accompanying bill and statement of the managers. The conference agree-

ment also includes various technical changes to headings and section references.

#### D.C. CHARTERED HEALTH PLAN, INC.

The conferees note that language in section 3008 of H.R. 3019, the Omnibus Consolidated Rescissions and Appropriations Act of 1996, under the jurisdiction of the Subcommittee on the Departments of Labor, Health and Human Services, and Education, provides a waiver to the D.C. Chartered Health Plan, Inc., a private provider of managed health care in the District that was established in 1988 and provides health care to 40 percent of the Medicaid AFDC beneficiaries in the District.

#### INFANT MORTALITY

The conferees are deeply concerned that the status of infant mortality and morbidity in the Nation's Capital continues to be the poorest in the United States. The Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriations Act for fiscal year 1991 (H.R. 5257) included funds in the budget for the National Institute of Child Health and Human Development (NICHD) "to conduct research on pregnancy and perinatology with special emphasis on the determinants and consequences of environmental contributions, including crack cocaine abuse, to the low birth weight and infant mortality problems in the District." (Senate Report 101-516, page 118). The report further states that "The plan should include research projects \* \* \* and the means to contract with a local host institution to provide the clinical facilities associated infrastructure to operate them".

The conferees request that the NICHD continue its research on pregnancy and perinatology as directed in Senate Report 101-516 and conduct its study within the jurisdictional bounds of the Nation's Capital as spelled out in that report. Further, the conferees urge NICHD to solicit bids only within the District of Columbia, consistent with the intent of Congress as originally reflected in Senate Report 101-516.

#### D.C. CANINE FACILITY

As noted on page 120 of the conference report (House Report 104-455) that accompanied the District of Columbia Appropriations Act, 1996 (H.R. 2546), the Metropolitan Police Department has had a long-standing need to construct a modernized canine training facility at a location near D.C. Village. The funding for this project has been available for some time; however, for various reasons construction of the facility has been delayed and contract bids have been allowed to expire. The conferees have been informed that the District government has identified approximately \$750,000 for construction of the facility and again is proceeding with the required contracting procedures. The schedule provided by District officials calls for the contract to be awarded in July with construction to begin immediately thereafter so that the facility can be occupied by February 1997. The conferees direct District officials to expedite this long overdue project and to immediately advise the House and Senate Committees on Appropriations of any delays. District officials are requested to provide monthly progress reports with detailed explanations for deviations from the schedule. The reports are to be provided to the House and Senate Committees on Appropriations on the first day of each month following the enactment of this Act.

The present canine facility being used by the Metropolitan Police Department is located on property that is being transferred to the Architect of the Capitol as required by Public Law 98-340 and referenced in section 1565 of this Act. For several years the plan has been to use the existing facility, when it

becomes available, for the U.S. Capitol Police who have been occupying temporary structures while waiting for the Metropolitan Police to move to their new quarters. During the transition period while the new D.C. canine facility is being constructed, the conferees believe that co-location of the Metropolitan Police and the U.S. Capitol Police canine forces is more economical than providing two separate facilities. The conferees therefore direct the Metropolitan Police Department to share the existing canine facility at D.C. Village with the U.S. Capitol Police and its canine training program. The conferees request monthly reports from both police forces on the status of this sharing arrangement. The first report is due April 30, 1996, with subsequent reports due on the last day of each month until the Metropolitan Police move into the new D.C. canine facility.

#### TITLE I—FISCAL YEAR 1996 APPROPRIATIONS FEDERAL CONTRIBUTION FOR EDUCATION REFORM

The conference action deletes this paragraph and the Federal appropriation of \$14,930,000 instead of reallocating the low-income scholarship funding of \$5,250,000 to repair, modernization, maintenance and planning consistent with subtitles A and F of title II of the bill, the August 14, 1995, recommendations of the "Superintendent's Task Force on Education Infrastructure for the 21st Century", and the June 13, 1995, "Accelerating Education Reform in the District of Columbia: Building on BESST" (which is the acronym for the Superintendent's educational reform agenda "Bringing Education Services to Students") as proposed by the Senate.

#### GOVERNMENTAL DIRECTION AND SUPPORT

The conference action includes a proviso transferred from the deleted paragraph "Education Reform" that directs the District government to enter into negotiations with Gallaudet University for the purpose of transferring the Hamilton Junior High School building from the District's public school system to Gallaudet. The conferees expect that such a transaction, which would require the agreement of both Gallaudet and the District government, would result in substantial proceeds being made available for improving the District's public school facilities in the same ward. The Hamilton School, which is in the midst of the Gallaudet campus, was appraised at approximately \$4,000,000 in 1990, though it may be worth somewhat less at present. There is some evidence that the title to the land on which Hamilton is located is vested in the Federal government. The conferees are hopeful that a mutually satisfactory arrangement can be worked out voluntarily between the two parties, with area students the beneficiaries.

#### EDUCATION REFORM

The conference action deletes this paragraph which appropriated \$14,930,000 from the District's general fund for Education Reform initiatives. The proviso in this paragraph relating to Gallaudet University has been transferred to the heading "Governmental Direction and Support".

#### GENERAL PROVISIONS

**Lorton Correctional Complex.**—The conference action amends section 151 of H.R. 2546 (House Report 104-455) concerning the Lorton Correctional Complex to reflect the findings of a report dated January 30, 1996, issued recently by the National Institute of Corrections (NIC) which identifies very serious problems with the operation, management, and physical plant. The amendment agreed to by the conferees addresses many of the concerns raised by the NIC report and

conforms the initial language to changed timetables. Subsection (a) added by the conferees directs the NIC acting for and on behalf of the District of Columbia to hire a consultant to develop a plan for short-term improvements on a limited number of administrative and physical plant reforms that can be completed within a three to five month time-frame. The language also requires the NIC to submit their report to the President, the Congress, the Mayor, and the District of Columbia Financial Responsibility and Management Assistance Authority no later than September 30, 1996. Subsection (b) directs the NIC acting for and on behalf of the District of Columbia to hire a consultant to develop at least four optional long-term plans for the Lorton Correctional Complex, including: (1) a plan under which the Lorton Correctional Complex will be closed and inmates transferred to new facilities constructed and operated by private entities; (2) a plan under which the Lorton Correctional Complex will remain in operation under the management of the District of Columbia subject to such modification as the District considers appropriate; (3) a plan under which the Federal government will operate the Lorton Correctional Complex and the inmates will be sentenced and treated in accordance with guidelines applicable to Federal prisoners; and (4) a plan under which the Lorton Correctional Complex will be operated under private management. The language also requires the NIC to submit their report to the President, the Congress, the Mayor, and the District of Columbia Financial Responsibility and Management Assistance Authority no later than December 31, 1996.

**Adoptions by unmarried couples.**—The conference action deletes section 152 of H.R. 2546 (House Report 104-455) that would have prohibited adoptions by unmarried couples except in those cases where one of the individuals was the natural parent.

**Chief Financial Officer powers.**—The conference action inserts a new section 152 effective during fiscal years 1996 and 1997 which clarifies certain duties and responsibilities of the Chief Financial Officer to enable the CFO to exercise his authority with the independence called for under Public Law 104-8, approved April 17, 1995, which created the District of Columbia Financial Responsibility and Management Assistance Authority and established the Chief Financial Officer position. The Treasurer of the District, the Controller of the District and the head of the Office of Financial Information Services were placed under the CFO's authority by Public Law 104-8. The clarifying language places the directors of the Office of the Budget and the Department of Finance and Revenue as well as all other District of Columbia executive branch accounting, budget, and financial management personnel under the CFO's authority thereby providing the CFO with control over all financial activities of the District government as envisioned by Public Law 104-8. All of these individuals will be appointed by, serve at the pleasure of, and act under the direction and control of the CFO.

**Property conveyance.**—The conference action inserts a new section 156 requiring the transfer of certain property to the Architect of the Capitol. Public Law 98-340, approved July 3, 1984, provided for a multi-jurisdictional land exchange to allow the Washington Metropolitan Area Transit Authority to complete construction of the Green Line, which was the last segment of the region's rapid rail system. This land exchange resulted from a decision to place a Metro station and parking facility across the Anacostia River near the juncture of the South Capitol Street Bridge and I-295, and involved

the Washington Metropolitan Area Transit Authority, the District of Columbia, the National Park Service, and the Architect of the Capitol. The Agreement, which was entered into 12 years ago, included a commitment by the District of Columbia to transfer a portion of D.C. Village to the Architect of the Capitol in exchange for land under the Architect of the Capitol's jurisdiction that was transferred for the Metro facility. All work called for under the Agreement has been completed, including the relocation of Shepherd Parkway. The conferees have included language in section 156 of this Act which requires the District government to provide the Architect of the Capitol with a deed for the property in accordance with the Agreement not later than 30 days after the enactment of H.R. 3019.

#### TITLE II—DISTRICT OF COLUMBIA SCHOOL REFORM

The conference action amends the District of Columbia school reforms reflected in the conference report (House Report 104-455) on H.R. 2546, the District of Columbia Appropriations Act for fiscal year 1996, the conference agreement deletes "Subtitle C—Even Start"; "Subtitle G—Residential School"; and "Subtitle N—Low-Income Scholarships" that were included in House Report 104-455. The conference agreement incorporates the provisions of "Subtitle H—Progress Reports and Accountability" that was included in House Report 104-455 as the last two sections of subtitle A. The conference agreement also incorporates many of the provisions of "Subtitle J—Management and Fiscal Accountability" and "Subtitle K—Personal Accountability and Preservation of School-Based Resources" into various general provisions under title I. The remaining sections of subtitles J and K have been consolidated into a new "Subtitle G—Management and Fiscal Accountability; Preservation of School-Based Resources".

Recently, the Council of the District of Columbia passed D.C. Bill 11-318, the Public Charter Schools Act of 1996. On March 26, 1996, the Mayor returned the bill to the Council without his signature. In his letter the Mayor states that "The legislation creates extensive regulations for proposed charter schools without providing significant independent authority." His letter further states "In addition, proposed charter schools might not have available to them certain regional and central system support provided to other schools within the system." The conferees are committed to ensuring that charter schools become a reality in the District and have therefore included Subtitle B—Public Charter Schools, in title II of the conference agreement. This subtitle addresses the concerns expressed by the Mayor.

The conference agreement includes residential education as a program that can be provided in a public charter school and requires the District to provide the \$130,000 prorata share of Public Charter School Board operating expenses for the remainder of fiscal year 1996. In addition, the conferees note that other portions of this conference agreement provide the U.S. Department of Education with additional funds to support charter school activities in the various states. The conferees intend that the Department provide the District of Columbia with appropriate financial and technical assistance to support the start-up of the Charter School Board.

The conference agreement amends "Subtitle D—World Class Schools Task Force" by changing the letter designation from "D" to "C" and including language to provide funding authorizations in fiscal year 1997. The conference agreement also makes other technical changes in dates as appropriate.

The conferees are deeply concerned about the state of the facilities in the District of Columbia public school system. Subtitle E—School Facilities Repair and Improvement, calls for the U.S. General Services Administration to provide technical assistance to the District of Columbia public schools in the development of a facilities revitalization plan. It also provides waivers to allow private companies to donate materials and services to rehabilitate school facilities. The conference agreement includes narrowly drawn waivers to ensure that private employees may donate their services. The language also ensures that employees of the District of Columbia government will not be called upon to "volunteer" to provide services for which they would be paid as a part of their employment.

The conferees encourage the District of Columbia Public Schools in their efforts to establish a residential school to serve the residents of the District of Columbia. The conferees look forward to having the thoughts and plans of the Superintendent and other school officials during consideration of the District's fiscal year 1997 budget and financial plan. Without the availability of Federal funds, the authorizing language included in the conference report (House Report 104-455) on H.R. 2546 as "Subtitle G—Residential School" has been deleted.

The conferees believe that leveraging private sector funds to provide the public schools with access to state-of-the-art technology and implementing a regional workforce training initiative are essential to creating a model public education system in the Nation's Capital. In the absence of Federal funds for fiscal year 1996, the conferees have amended the authorizations included in the conference report (House Report 104-455) on H.R. 2546 for these programs to begin in fiscal year 1997. The conference agreement deletes section 2704(e) "Professional Development Program for Teachers and Administrators" that had been included in the conference report (House Report 104-455) on H.R. 2546.

#### VIOLENT CRIME REDUCTION TRUST FUND PROGRAMS

The conference agreement includes \$1,400,000,000 for Community Oriented Policing Services (COPS), instead of \$975,000,000 as proposed by the Senate and no funding for this program as proposed by the House. Of the amount provided, \$10,000,000 is included for the Police Corps program. The conferees have also included a technical change referencing the authorizations for the Police Corps program under the 1994 Crime Bill, as proposed by the Senate.

The conferees agree that the funding provided should be used for the purpose of providing grants which will yield at least 19,000 additional police officers on the street in order to reach the goal of 100,000 additional police officers by the year 2000 which will require similar funding levels in fiscal years 1997 through 1999 with the balance to be funded in the year 2000. The conferees note that with this funding, two years into the six-year Community Policing program, at least 45,000 police will have been hired. A clear path to achieving the mutual objective of putting more police on the street has been established. In addition, the conferees have provided \$503,000,000 for the Local Law Enforcement block Grant that should provide for even more police being hired at an even faster pace.

The conferees agree that the primary objective of COPS funding is to hire new police officers in the most cost-effective manner possible. The conferees direct that, from this point forward, the COPS office use grant funds to the maximum extent possible to

hire more police, and should not use these funds for non-hiring projects. Funding for these purposes, such as equipment, training and overtime, is available to localities through the Local Law Enforcement Block Grant and need not be duplicated under this program. The conferees have also included language that limits the amount spent on program management and administration to 130 positions and \$14,602,000.

#### GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

The conference agreement includes the following General Provisions for the Department of Justice that were not enacted into law under Public Law 104-99. The conferees have also included language under section 616 to reinforce that the General Provisions for the Department of Justice enacted under section 211 of Public Law 104-99 shall continue to remain in effect. A Department of Justice legal opinion dated February 27, 1996, states that all the General Provisions for the Department of Justice included in the conference report on H.R. 2076, with the exception of section 114, were enacted into law under Public Law 104-99 on January 26, 1996. The Senate bill repeated all general provisions, except for sections 116 through 119 which were permanent changes to law, and the House bill did not include any of the general provisions with the exception of section 114.

The conferees note that under section 106, which is currently enacted in law, the Department of Justice was provided the authority to spend up to \$10,000,000 for rewards for information regarding acts of terrorism against the United States. The conferees agree that the Attorney General, before making any international reward, should continue to consult and coordinate with the Secretary of State.

**Sec. 114.** The conferees have agreed to include section 114 and have revised the language proposed in the House and Senate bills which authorizes a new Violent Offender Incarceration and Truth-in-Sentencing Incentive Grants program to replace the program currently authorized in Title II of the Violent Crime Control and Law Enforcement Act of 1994. The House bill included the revised Violent Offender Incarceration and Truth-in-Sentencing Incentive Grants program as passed in the conference report on H.R. 2076. The Senate bill included a revision to the language included in the conference report on H.R. 2076.

As provided in both the House and Senate bills, the conference agreement includes \$617,500,000 under the Violent Crime Reduction Programs for State and Local Law Enforcement Assistance for this provision. Of the funds provided, and after amounts allocated for incarceration for criminal aliens, the Cooperative Agreement Program and incarceration of Indians on Tribal lands, \$403,875,000 is available for State Prison Grants and the administration of this program.

The conferees agree that the Violent Offender Incarceration and Truth-in-Sentencing Incentive Grants program should reward and provide an incentive to States that are taking the necessary steps to keep violent criminals off the streets. The conferees further agree that the program currently authorized in the Violent Crime Control and Law Enforcement Act of 1994 fails to provide an adequate incentive for States to adopt tougher sentencing policies. The conferees are also concerned that sufficient seed money to States is needed to encourage States to adopt truth-in-sentencing. Thus, of the amount available, the conferees have agreed that 50 percent would be set aside for Truth-in-Sentencing Grants and the remain-

ing 50 percent would be distributed as General Grants to all states that qualify. Under the revised language, States would no longer be forced to choose between mutually exclusive grant programs. States qualifying for Truth-in-Sentencing Grants would receive those funds in addition to any General Grant funds they are eligible to receive. The conferees further intend that in the future the percentage of prison grant funds dedicated to General Grants should decline in order to provide a greater incentive for States to adopt truth-in-sentencing policies.

The conferees have therefore adopted language that provides that all States that provide assurances to the Attorney General that the State has implemented, or will implement, correctional policies and programs that (a) ensure that violent offenders serve a substantial portion of the sentences imposed; (b) are designed to provide sufficiently severe punishment for violent offenders, including violent juvenile offenders; and (c) ensure that the prison time served is appropriately related to the determination that the inmate is a violent offender and for a period of time deemed necessary to protect the public, will receive "seed" funding to increase their capacity of prison space. A State will receive additional funding from General Grants if the State can demonstrate that, in addition to the above assurances, the State has (a) increased the number of persons sentenced to prison who have been arrested for violent crimes; or (b) increased the sentences of persons convicted of violent crimes or the average prison time actually served; or (c) increased by over 10 percent over the last three years the number of persons sent to prison for committing violent crime.

A State will be eligible to receive a Truth-in-Sentencing Grant in addition to General Grant funding if it is eligible for, if the State has adopted truth-in-sentencing laws which require persons sentenced to prisons for violent crimes to serve at least 85 percent of their sentence. In addition, if a State practices indeterminate sentencing, that is, a State in which the sentence imposed by the court may involve a range of imprisonment, it may be eligible to receive a Truth-in-Sentencing Grant if (1) the State has "sentencing and release guidelines" (which refers to guidelines that by law are utilized both by courts for guidance in imposing a sentence and by parole release authorities in establishing a presumptive release date when the offender has entered prison) and violent offenders serve on average not less than 85 percent of the period to the presumptive release date prescribed by these guidelines, or (2) the State demonstrates that violent offenders serve on average not less than 85 percent of the maximum prison term allowed under the sentence imposed by the court.

The revised language included in this section authorizes \$10,267,600,000 for fiscal years 1996 through 2000 for States to build or expand correctional facilities for the purpose of incapacitating criminals convicted of part I violent crimes, or persons adjudicated delinquent for an act which if committed by an adult, would be a part I violent crime. It does not allow funds to be used to operate prisons as provided in the current program and it requires a ten percent match by the State instead of a 25 percent match as included in the current program. The conferees agree that in developing criteria for determining the eligibility for funding to build or expand bedspace, the Department of Justice should include a requirement that States demonstrate the ability to fully support, operate and maintain the prison for which the State is seeking construction funds.

Other provisions of the new authorization require that States share up to 15 percent of the funds received with counties and other

units of local government for the construction and expansion of correctional facilities, including jails, to the extent that such units of local government house state prisoners due to States carrying out the policies of the Act. In addition, under exigent circumstances, States may also use funds to expand juvenile correctional facilities, including pretrial detention facilities and juvenile boot camps. In order to be eligible for grants, States are also required to implement policies that provide for the recognition of the rights and needs of crime victims.

In addition, of the total amount provided, \$200,000,000 is available for payments to States for the incarceration of criminal aliens. The conferees intend that this funding should be merged with and administered under the State Criminal Alien Assistance Program (SCAAP), including the normal authority to utilize up to one percent of the funds for administrative purposes. The conferees expect the Department of Justice to provide these funds to eligible States in a timely manner.

**Sec. 120.**—The conference agreement includes a new general provision, as proposed by the Senate as section 116, which extends the Department of Justice's pilot debt collection project through September 30, 1997. The House bill did not include this provision.

**Sec. 121.**—The conference agreement includes a new general provision, proposed by the Senate as section 117, which amends the 1994 Crime Bill to define "educational expenses" to be funded under the Police Corps program. The conference agreement modifies the language proposed by the Senate to assure that the course of education being pursued under this program is related to law enforcement purposes. The House bill did not include this provision.

**Sec. 122.**—The conference agreement includes a technical correction, similar to section 109 as proposed by the Senate, to the U.S. Code citation regarding the Assets Forfeiture Fund to conform to changes enacted into law under Public Law 104-66 and Public Law 104-99 and to ensure the intended effect of these changes. The House bill did not include this technical correction.

#### DEPARTMENT OF COMMERCE AND RELATED AGENCIES

##### DEPARTMENT OF COMMERCE

##### TRADE AND INFRASTRUCTURE DEVELOPMENT U.S. TRAVEL AND TOURISM ADMINISTRATION

The conference agreement, like the House and Senate bills, does not include funding for the U.S. Travel and Tourism Administration. Its functions are in the process of being transferred to the International Trade Administration, and no further funding is required.

##### ECONOMIC AND INFORMATION INFRASTRUCTURE NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION SALARIES AND EXPENSES

The conference agreement includes language proposed by the Senate clarifying the authority of the Secretary of Commerce to charge federal agencies for spectrum management, analysis, operations and related services, which was not addressed in the House bill, and making technical changes to language included in the House bill regarding the retention and use of all funds so collected.

##### SCIENCE AND TECHNOLOGY NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY INDUSTRIAL TECHNOLOGY SERVICES

The conference agreement includes \$301,000,000 for Industrial Technology Services, of which \$80,000,000 is for the Manufacturing Extension Partnership (MEP) program, and of which \$221,000,000 is for the Advanced Technology Program (ATP). The

House bill included \$80,000,000 for the MEP, and \$100,000,000 in contingent appropriations for ATP. The Senate bill included \$80,000,000 for MEP, and \$235,000,000 in contingent appropriations for ATP.

The amount provided for ATP in this agreement represents the Commerce Department's most recent estimate of the amount required to pay for continuation grants required in fiscal year 1996 for ATP awards made in fiscal year 1995 and prior years. The conferees are agreed that the Commerce Department and NIST should accord highest priority to honoring these prior year commitments. The Department shall submit a plan indicating how it intends to spend the funds available for ATP this year within 30 days of the enactment of this Act.

The conferees remain supportive of biotechnology research and innovation centers which provide technical and financial assistance, education and training to help create and promote promising new companies. The conferees note that the Department has previously provided support for these centers in several States, including Massachusetts, and believe that such support is in keeping with the Department's mission of promoting both economic and trade opportunities. Therefore, the conferees believe that the Department should make available sufficient funds for continuing operations of these centers at levels consistent with previous years.

NATIONAL OCEANIC AND ATMOSPHERIC  
ADMINISTRATION  
OPERATIONS, RESEARCH, AND FACILITIES  
(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes a direct appropriation of \$1,792,677,000 for the National Oceanic and Atmospheric Administration's Operations, Research, and Facilities account, as proposed by the House, instead of \$1,799,677,000 as proposed by the Senate. The conference agreement does not include \$7,000,000 proposed in the Senate bill for the Global Learning and Observations to Benefit the Environment program. The House bill and the conference agreement do not include funding for this program.

In addition, the following clarifications of issues in the statement of managers accompanying the conference report on H.R. 2076 are provided:

The conferees do not expect NOAA to undertake a deep ocean isolation study during fiscal year 1996.

Funds for mapping, charting, and geodesy services are to be used to acquire such services through contracts entered into with qualified private sector contractors when such contracts are the most cost-effective method of obtaining those services.

Because of the reduced funding level for the fleet and the emphasis on contracting for services, the conferees would like NOAA to submit a plan for purchases of fleet vessel equipment prior to expending funds for this purpose.

The conferees agree with language included in the Senate report on H.R. 2076 regarding NOAA utilization of the UNOLS (university) fleet for its research needs.

The conferees strongly concur with the House, Senate, and joint House/Senate conference reports to H.R. 2076 regarding NMFS and NOAA actions on sea turtle conservation and shrimp fishery issues except that the conferees direct that any revisions, if necessary, that are based on the NMFS November 14, 1994 or subsequent Biological Opinions shall include the results of the independent scientific peer review and alternatives for lessening the economic impact on the shrimp fishing industry as directed in both the House and Senate reports to H.R. 2076. Additionally, the conferees direct NMFS and the Department of Commerce to provide within

30 days of enactment of this Act a detailed written report to the Committees on Appropriations that includes: (1) the results of the independent peer review of the NMFS November 14, 1994 Biological Opinion on sea turtle conservation as directed in the conference report to H.R. 2076; (2) the findings and recommendations of the scientific expert working group directed to be established in the House and Senate reports to H.R. 2076; (3) the results of the meetings with the shrimp fishing industry and the conservation community as directed by the House and Senate reports to H.R. 2076; and (4) conclusions of the economic impact analysis directed to be completed in the House and Senate reports to H.R. 2076. The conferees are concerned that NOAA and the Department of Commerce are proceeding with additional restrictions on the shrimp fishery before the results of these analyses and reviews are completed and despite NMFS and Coast Guard data confirming that shrimp fishermen are complying with existing fishing restrictions at a 97 to 99 percent rate.

TECHNOLOGY ADMINISTRATION  
OFFICE OF THE UNDER SECRETARY/OFFICE OF  
TECHNOLOGY POLICY  
SALARIES AND EXPENSES

The conference agreement provides \$7,000,000 for the Office of Technology Policy, instead of \$5,000,000 as proposed by the House, and \$5,000,000 and an additional \$2,000,000 in contingent appropriations as proposed by the Senate.

The \$2,000,000 provided over the House amount, which is also \$2,000,000 over the amount provided in the conference report on H.R. 2076, is to be used to support the civilian technology initiatives with which the Technology Administration is involved, including international science and technology policy assessment, industrial competitiveness studies, support for the U.S./Israel Secretariat and the National Medal of Technology. The funds are not intended to be used to supplant the need for the downsizing of employment that is nearing completion in the Technology Administration.

The Senate bill provided an additional \$2,000,000 in contingent appropriations for the U.S.-Israel Science and Technology Commission, which is not included in the conference agreement. As provided in both the House and Senate reports on H.R. 2076, the Committees continue to support the U.S.-Israel Science and Technology Commission. The conferees expect the Commerce Department to provide its commitment of \$2,500,000 for this program in fiscal year 1996 from within available resources, subject to the standard transfer and reprogramming procedures set forth under sections 205 and 605 of this section of the bill.

GENERAL PROVISIONS—DEPARTMENT OF  
COMMERCE

*Sec. 206.* The conference agreement does not include language proposed by the Senate to prohibit the use of funds by the Secretary of Commerce to issue final determinations under the Endangered Species Act. The House bill contained no provision on this matter under this Chapter. Language on this issue is not necessary under this Chapter because the issue is being addressed on a government-wide basis under the Department of Interior and Related Agencies Chapter.

*Sec. 210.* The conference agreement includes a modified general provision proposed by the House, but not in the Senate bill, to prohibit the use of funds to develop or implement new individual fishing quota, individual transferable quota, or individual transferable effort allocation programs until offsetting fees to pay for the cost of administering such programs are authorized. The House

provision applied only to individual transferable quota programs. In addition, the conference agreement adds language not in the House bill to clarify that the restriction does not apply to any program approved prior to January 4, 1995.

*Sec. 211.* The conference agreement includes a general provision, similar to language proposed under title III of the Senate bill, to amend Section 308(d) of the Interjurisdictional Fisheries Act of 1986 to increase flexibility in providing grants to commercial fishermen for uninsured losses resulting from a fishery resource disaster arising from a natural disaster. The changes from the language proposed by the Senate are designed to provide further assurances that any fishing boat bought back under this program must be scrapped or otherwise disposed of in a way that prevents the boat from reentering any fishery. The House bill contained no similar provision.

*Sec. 212.* The conference report includes a general provision, not in either bill, giving the Secretary of Commerce authority to award contracts for mapping and charting activities in accordance with the Brooks Act, Title IX of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 541 et seq.). The statement of managers accompanying the conference report on H.R. 2076 indicated that the conferees expected NOAA to award contracts in accordance with this Act, but the Department has indicated that statutory language is required to carry out the conferees' intent.

DEPARTMENT OF STATE AND RELATED  
AGENCIES

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS  
DIPLOMATIC AND CONSULAR PROGRAMS

The conference agreement, like the House and Senate versions of H.R. 3019, strikes language included in the conference report on H.R. 2076 which prohibited the extension of machine readable visa fees after April 1, 1996. In section 112 of Public Law 104-92, a full year extension of the authority to collect the fee was enacted into law.

The statement of managers in the conference agreement on H.R. 2076 (H. Rep. 104-378) contained an incorrect description of the contents of the agreement relating to funding for the Diplomatic Telecommunications Service (DTS). That conference report included language that provided \$24,856,000 for DTS operation of existing base services, and not to exceed \$17,144,000 for enhancements to remain available until expended, of which \$9,600,000 was not to be made available until expiration of 15 days after submission of the pilot project report. The conferees have agreed to reduce the amount withheld from \$9,600,000 to \$2,500,000.

SECURITY AND MAINTENANCE OF UNITED STATES  
MISSIONS

The conference report includes \$385,760,000 for Security and Maintenance of United States Missions, as proposed in both the House and Senate bills, but does not include an additional contingent appropriation of \$8,500,000 as proposed in title IV of the Senate bill.

The additional rescission in this account proposed by the Senate is addressed separately under the Rescissions section.

INTERNATIONAL ORGANIZATIONS AND  
CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL  
ORGANIZATIONS

The conference agreement includes \$892,000,000 for Contributions to International Organizations, to pay the costs assessed to the United States for membership in international organizations, compared to

\$700,000,000 and an additional \$158,000,000 in contingent appropriations in the House bill, and \$700,000,000 and an additional \$223,000,000 in contingent appropriations in the Senate bill.

In addition, the conference agreement includes language withholding \$80,000,000 of the total provided, to be made available on a quarterly basis upon certification by the Secretary of State that the United Nations has taken no action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget and cause the United Nations to exceed its no growth budget for the biennium 1996-1997 adopted in December, 1995. The House bill contained a proviso withholding one-half of the proposed contingent funding for this account until the Secretary of State certified that the United Nations had taken no action to cause it to exceed its no growth budget for the biennium 1996-1997 adopted in December, 1995. The Senate bill contained no provision on this matter.

From within the funds provided under this heading, funding is to be provided at the full fiscal year 1996 request level to the International Atomic Energy Agency, the World Trade Organization, the North Atlantic Treaty Organization, and the related North Atlantic Assembly. Funding is also provided at the full fiscal year 1996 request level to the United Nations to fully fund the United States commitment at the 25 percent assessment rate provided that the certifications that it is not overspending its no-growth budget are made. No funds are to be provided to the United Nations Industrial Development Organization, the Inter-American Indian Institute, the Pan American Railway Congress Association, the Permanent International Association of Road Congresses, and the World Tourism Organization. Should the requested funding level, which is provided in this conference agreement, fall short of actual assessments, the shortfall should be allocated among the remaining organizations and be prioritized according to the importance of each international organization to the national interest of the United States.

#### CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The conference agreement includes \$359,000,000 for Contributions for International Organizations, compared with \$225,000,000 and an additional \$2,000,000 in contingent appropriations in the House bill, and \$225,000,000 and an additional \$215,000,000 in contingent appropriations in the Senate bill.

In addition, the conference agreement includes a technical correction in language included in the conference report on H.R. 2076, as proposed in both the House and Senate versions of H.R. 3019.

The conference agreement retains the limitations on expenditure of these funds, as contained in both the House and Senate bills and the conference report on H.R. 2076.

#### RELATED AGENCIES

##### ARMS CONTROL AND DISARMAMENT AGENCY ARMS CONTROL AND DISARMAMENT ACTIVITIES

The conference agreement includes \$38,700,000, instead of \$35,700,000, as proposed by the Senate, and \$32,700,000, as proposed by the House.

##### UNITED STATES INFORMATION AGENCY EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The conference agreement does not include bill language proposed by the Senate to provide \$1,800,000 to the Mike Mansfield Fellowship Program. The House bill contained no provision on this matter.

While the conferees have not included the language proposed by the Senate, they have agreed that the USIA shall disburse funds in the amount of \$1,800,000 to the Mansfield Center for Pacific Affairs to cover the Center's costs in fully implementing the Mike Mansfield Fellowships including the posting of seven 1995 fellows and their immediate families in Japan in order that the fellows may work in a Japanese government agency for one year, preparation and training for ten 1996 fellows, the recruitment and selection of the ten 1997 fellows, and attendant administrative costs.

#### GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCIES

*Sec. 405.* The conference agreement provides a full-year waiver of the limitation on operations of the Department of State, the U.S. Information Agency, and the Arms Control and Disarmament Agency in the absence of an authorization, as proposed in the Senate bill. The House bill included a waiver until April 1, 1996.

The conference agreement does not include a provision, included in the Senate bill as section 407, to extend the authorization for the Au Pair program through the year 1999. The House bill contained no similar provision. This provision is not required, because a free-standing two-year authorization for the program has been enacted into law (P.L. 104-72).

*Sec. 407.*—The conference agreement includes language, as provided in both the House and Senate bills, to allow the Eisenhower Exchange Fellowship Program to use one-third of earned but unused trust income each year for three years beginning in fiscal year 1996.

*Sec. 410.*—The conference agreement includes a provision authorizing continuing contract authority for the construction of a USIA international broadcasting facility on Tinian, Commonwealth of the Northern Mariana Islands, as proposed by the Senate bill. The House bill contained no similar provision.

The conferees agree that prior to the award of a contract for this facility, USIA is required to submit a final plan for this facility, including expected cost, construction time, funding requirements, and expected utilization of the facility, according to the standard reprogramming requirements of the Committees on Appropriations of the House and the Senate, the House International Relations Committee, and the Senate Foreign Relations Committee.

*Sec. 411.*—The conference agreement includes language proposed in section 3010 of the Senate bill relating to the Arms Control and Disarmament Agency that makes unexpended carryover appropriated in fiscal year 1995 for activities related to the implementation of the Chemical Weapons Convention available for ACDA operations. The House bill contained no provision on this issue.

#### RELATED AGENCIES

##### COMPETITIVENESS POLICY COUNCIL SALARIES AND EXPENSES

The conference agreement includes \$50,000 for the Competitiveness Policy Council instead of \$100,000 as proposed by the Senate and no funding as proposed by the House. The conference agreement also includes language stating that this is the final Federal payment to the Council. As a result, the conferees expect the Council to use the remaining funds to proceed with the orderly termination of the Council.

##### FEDERAL COMMUNICATIONS COMMISSION SALARIES AND EXPENSES

The conference agreement provides \$185,709,000 in total resources for the Federal

Communications Commission, \$10,000,000 more than provided in the conference report on H.R. 2076 and in the House bill, and \$10,000,000 less than provided in the Senate bill. The additional \$10,000,000 over the House bill is to be derived from increased fees and is being provided to the Commission to cover costs associated with implementation of the Telecommunications Act of 1996.

The conference agreement also includes bill language revisions to the FCC fee schedule relating to ten specific television broadcasting fee categories, as proposed in the Senate bill. The House bill contained no similar provision.

The conference agreement includes language, not in either the House or Senate bill, to allow the Federal Communications Commission to address an issue that appears to present unique circumstances that require immediate attention. WQED, which operates two non-commercial stations in Pittsburgh, Pennsylvania, has indicated it is in financial difficulty, and is seeking the opportunity to obtain a determination on an expedited basis as to whether it could convert one of its stations to a commercial station and then assign the license for the station, using the proceeds to relieve its financial difficulties. The language included in the conference report addresses this situation by assuring speedy consideration of the issue by the FCC. The language requires the FCC to make a determination on a petition submitted by WQED within 30 days, and gives the FCC the authority to provide WQED the relief it is seeking as one of the options that the FCC can consider in making its determination.

The Conference agreement does not include language proposed in the Senate bill requiring the FCC to pay the travel-related expenses of the Federal-State Joint Board on Universal Service, but the conferees expect that these expenses will be covered within the additional resources provided by the agreement. The House bill contained no similar provision.

#### LEGAL SERVICES CORPORATION PAYMENT TO THE LEGAL SERVICES CORPORATION

The conference agreement provides \$278,000,000 for the Legal Services Corporation, as proposed by the House, instead of \$300,000,000 as proposed by the Senate. In addition, the conference agreement does not include \$9,000,000 in additional contingent appropriations, as proposed by the Senate under title IV of the Senate bill.

Within the total amounts provided, the conferees agree that the funds should be distributed as follows: (1) \$269,400,000 for basic field programs and required independent audits carried out in accordance with section 509; (2) \$1,500,000 for the Office of Inspector General; and (3) \$7,100,000 for management and administration. The conferees are aware that the Legal Services Corporation has recently identified \$400,000 in prior year carryover funds. The conferees expect the Committees on Appropriations of the House and Senate to be notified prior to any further expenditure of these funds in accordance with section 605 of this Act. The conference agreement does not include language, proposed by the Senate, for payment of attorneys fees for a specific civil action.

The Legal Services Corporation historically has distributed funding for basic field programs (for all eligible clients) on an equal figure per poor person based on the 1990 census, with an exception that adjusts the formula for certain isolated states and territories. The conferees are encouraged that the Corporation has worked expeditiously to distribute funding on a competitive award basis, and urge the Corporation to continue implementation of the system that has been



developed to continue providing grants to all eligible populations.

#### ADMINISTRATIVE PROVISIONS—LEGAL SERVICES CORPORATION

The conference agreement includes language proposed by the Senate under section 504 to provide an exception to the prohibition contained therein that would permit recipients of LSC grants to use funds derived from non-Federal sources to comment on public rulemakings or to respond to a written request for information or testimony from a governmental body, so long as the response is made only to the parties that make the request and the recipient does not arrange for the request to be made. The House bill contained no similar exception to the prohibition contained in the bill.

The conference agreement corrects a code citation in section 504(a)(10)(c), as proposed in the Senate bill. The House bill contained the code citation provided in the conference report on H.R. 2076.

The conference agreement includes language under section 508 to allow for the collection of attorneys fees for cases or matters pending prior to enactment of this Act. This provision does not allow the collection of attorneys fees for any new or additional claim or matter not initiated prior to enactment of this Act. Neither the House nor Senate bill contained a provision on this matter.

The conference agreement makes a modification to language included in section 508 in both the House and Senate bills to provide for a limited transition time for LSC grantees to dispose of pending cases and matters initiated prior to enactment of this Act, which would now be prohibited under this Act. The agreement provides LSC grantees until August 1, 1996 to dispose of all such cases.

The conference agreement contains modifications to language in section 509 proposed by the Senate related to the procedures by which LSC grantees are audited and the manner in which recipients contract with licensed independent certified public accountants for financial and compliance audits. Also included are modifications to language proposed by the Senate to clarify that only the Office of the Inspector General shall have oversight responsibility to ensure the quality and integrity of the financial and compliance audit process. Language is also included, as proposed by the Senate, to clarify the Corporation management's duties and responsibilities to resolve deficiencies and non-compliance reported by the Office of the Inspector General. Further, language is included, as proposed by the Senate, authorizing the Office of the Inspector General to conduct additional on-site monitoring, audits, and inspections necessary for programmatic, financial and compliance oversight. The House bill contained the provisions included in the conference report on H.R. 2076.

#### OUNCE OF PREVENTION COUNCIL

The conference agreement includes \$1,500,000 for the Ounce of Prevention Council as proposed by the Senate. The House bill did not include funding for this organization.

#### GENERAL PROVISIONS

*Sec. 609.* The conference agreement includes a general provision prohibiting use of funds to pay for expansion of diplomatic or consular operations in Vietnam unless the President certifies within 60 days that Vietnam is cooperating in full faith with the U.S. on POW/MIA issues. The conference report on H.R. 2076 and the House bill contained a provision prohibiting use of funds unless the President certifies that Vietnam is fully cooperating with the U.S. on these issues. The Senate bill did not include a provision on this matter.

*Sec. 616-617.* The conference agreement includes two provisions clarifying the relationship of provisions in the Commerce, Justice, and State, the Judiciary, and Related Agencies appropriations bill to several full-year provisions provided in previous continuing resolutions and the Balanced Budget Downpayment Act, I.

The Senate bill included a provision repealing the section of the Balanced Budget Downpayment Act, I that set out the operating rates for programs funded under the Commerce, Justice, and State the Judiciary, and Related Agencies appropriations bill.

The House bill included a provision, section 105, that addressed the relationship of the provisions of this bill to previous year 1996 appropriations measures for all the appropriations bills included in H.R. 3019.

#### RESCISSIONS

##### DEPARTMENT OF STATE

##### ADMINISTRATION OF FOREIGN AFFAIRS

##### ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD (RESCISSION)

The conference agreement includes a rescission of \$64,500,000 from balances in the Acquisition and Maintenance of Buildings Abroad account, compared with a rescission of \$60,000,000 included in the conference report on H.R. 2076 and proposed in the House bill and a rescission of \$95,500,000 proposed in the Senate bill.

##### DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

Section 101(c) provides fiscal year 1996 appropriations for the Department of the Interior and Related Agencies which are effective upon enactment of this Act as if it had been enacted into law as the regular appropriations Act.

The conference agreement on section 101(c) incorporates many of the provisions of the conference agreement on H.R. 1977, House Report 104-402. Report language and allocations set forth in the conference agreement on H.R. 1977 that are not changed by the conference agreement on section 101(c) of H.R. 3019 are approved by the committee of conference. The report language and allocations adopted by the conference agreement on H.R. 1977 are unchanged unless expressly provided herein.

#### TITLE I—DEPARTMENT OF THE INTERIOR

##### BUREAU OF LAND MANAGEMENT

##### MANAGEMENT OF LANDS AND RESOURCES

\$567,453,000 is appropriated for Management of Lands and Resources instead of \$568,062,000 as proposed by the conference agreement on H.R. 1977. The change from the earlier agreement is a decrease of \$609,000 for headquarters administration.

*Bill Language.* Language restricting the use of funds for the Mojave National Preserve in California has been deleted. This issue is dealt with in more detail in section 119 of this Act under the heading General Provisions, Department of the Interior.

##### PAYMENTS IN LIEU OF TAXES

\$113,500,000 is appropriated for Payments in Lieu of Taxes instead of \$101,500,000 as proposed by the conference agreement on H.R. 1977.

##### OREGON AND CALIFORNIA GRANT LANDS

\$97,452,000 is appropriated for Oregon and California Grant Lands instead of \$93,379,000 as proposed by the conference agreement on H.R. 1977. The change from the earlier agreement is an increase of \$4,073,000 for collocation of the Oregon State office of the Bureau of Land Management with the Pacific northwest regional office of the Forest Service.

#### UNITED STATES FISH AND WILDLIFE SERVICE

##### RESOURCE MANAGEMENT

\$501,010,000 is appropriated for Resource Management instead of \$497,943,000 as proposed by the conference agreement on H.R. 1977. Changes from the earlier agreement include a decrease of \$183,000 for headquarters administration and an increase of \$3,250,000 for the endangered species program.

The managers understand that the Service has been directed by the U.S. district court for the western district of Washington to finalize critical habitat designation for the marbled murrelet by May 15, 1996 and that the Department of Justice has filed a motion to stay enforcement of the order. The managers expect the Service, to the extent it proceeds with the critical habitat designation process for the marbled murrelet, to consider carefully the concerns of all interested parties including the States and private landowners. Potential economic impacts on private landowners should be fully evaluated and, to the extent practicable, every attempt should be made to ameliorate adverse impacts and use Federal lands in establishing critical habitat. If the May 15 deadline remains in effect and proves to be unrealistic, the Service should so notify the court and petition for an extension.

*Bill Language.* Language has been included placing a moratorium on the use of funds by the Secretaries of the Interior and Commerce for endangered species listing activities, except for delisting, reclassification and emergency listings. An earmark of \$4 million is included for those activities not subject to the moratorium. The managers have also provided authority to the President to suspend the moratorium if he determines that such a suspension is appropriate based on public interest in sound environmental management, sustainable resource use, protection of national or local interests or protection of cultural, biological or historic resources. Any such suspension must be reported to the Congress.

##### NATIONAL PARK SERVICE

##### OPERATION OF THE NATIONAL PARK SYSTEM

\$1,082,481,000 is appropriated for Operation of the National Park System instead of \$1,083,151,000 as proposed by the conference agreement on H.R. 1977. The change to the previous agreement is a decrease of \$670,000 for headquarters administration.

The managers understand that the Service and the Federal Highway Administration are in the process of realigning and widening the 15th Street corridor at Raoul Wallenberg Place in Washington, DC. The managers are aware of concerns that this effort will have a negative impact on the size and quality of the sports field located across the street from the Holocaust Memorial Museum. The managers expect the Service to provide an assessment to the House and Senate Committees on Appropriations on the impact the construction of this corridor will have on said field including any alterations to the current size and quality of the playing area and an estimate of the length of time the field will remain unusable for sporting events. This assessment should also include a cost estimate for (1) preservation or realignment of the field needed to allow sports activities to continue; (2) leveling of the field and repair of the field's surface with new grass; and (3) annual maintenance of the field. This assessment should be completed as expeditiously as possible.

*Bill Language.* Language restricting the use of funds for the Mojave National Preserve in California has been deleted. This issue is dealt with in more detail in section 119 of this Act under the heading General Provisions, Department of the Interior.

## CONSTRUCTION

The managers on the part of the House do not agree with the Senate position, expressed in a colloquy during Senate debate on H.R. 3019, with respect to the Natchez Trace Parkway.

UNITED STATES GEOLOGICAL SURVEY  
SURVEYS, INVESTIGATIONS, AND RESEARCH

\$730,163,000 is appropriated for Surveys, Investigations, and Research instead of \$730,503,000 as proposed by the conference agreement on H.R. 1977. The change from the earlier agreement is a decrease of \$340,000 for headquarters administration.

The managers agree that, within the funds provided for natural resources research in the State of Florida, the Survey should maintain the same level of funding as was provided in fiscal year 1995 by the National Biological Service for manatee research as part of the Sirenia Project.

MINERALS MANAGEMENT SERVICE  
ROYALTY AND OFFSHORE MINERALS  
MANAGEMENT

\$182,555,000 is appropriated for Royalty and Offshore Minerals Management instead of \$182,994,000 as proposed by the conference agreement on H.R. 1977. The change from the earlier agreement is a decrease of \$439,000 for headquarters administration.

BUREAU OF INDIAN AFFAIRS  
OPERATION OF INDIAN PROGRAMS

*Bill Language.* Language is included to permit the use of prior year unobligated balances for employee severance, relocation, and related expenses until September 30, 1996 instead of March 30, 1996 as proposed by the conference agreement on H.R. 1977.

DEPARTMENTAL OFFICES  
DEPARTMENTAL MANAGEMENT  
SALARIES AND EXPENSES

\$56,912,000 is appropriated for Salaries and Expenses instead of \$57,796,000 as proposed by the conference agreement on H.R. 1977. The change from the earlier agreement is a decrease of \$884,000 for headquarters administration in the departmental direction account. Because it is halfway through the fiscal year, the managers agree that maximum flexibility is permitted in allocating this reduction within that account.

OFFICE OF THE SOLICITOR  
SALARIES AND EXPENSES

\$34,427,000 is appropriated for Salaries and Expenses instead of \$34,608,000 as proposed by the conference agreement on H.R. 1977. The change from the earlier agreement is a decrease of \$181,000 for headquarters administration.

GENERAL PROVISIONS, DEPARTMENT OF  
THE INTERIOR

Language is included in section 119 on the management of the Mojave National Preserve. The managers have agreed to remove the statutory restrictions on the National Park Service and the Bureau of Land Management which were included in the conference agreement on H.R. 1977. The Park Service, under this provision, is permitted to manage the Preserve but limited in its management practices to those "historical management practices" of the Bureau of Land Management until the Service has completed a conceptual management plan and received approval of that plan from the House and Senate Committees on Appropriations. The provision also limits operating funds to \$1,100,000 unless approval for an additional amount is obtained from the House and Senate Committees on Appropriations. The managers agree that this provision will expire on September 30, 1996. The managers have also provided authority to the President to sus-

pend the restrictions in section 119 if he determines that such a suspension is appropriate based on public interest in sound environmental management, sustainable resource use, protection of national or local interests or protection of cultural, biological or historic resources. Any such suspension must be reported to the Congress.

TITLE II—RELATED AGENCIES  
DEPARTMENT OF AGRICULTURE

## FOREST SERVICE

## STATE AND PRIVATE FORESTRY

\$136,884,000 is appropriated for State and Private Forestry instead of \$136,794,000 as proposed by the conference agreement on H.R. 1977. The change from the earlier agreement is an increase of \$90,000 for collocation of the Oregon State office of the Bureau of Land Management with the Pacific northwest regional office of the Forest Service.

*Bill Language.* Earmarks \$200,000 as proposed by the Senate, for a grant to the World Forestry Center for research on land exchange efforts in the Umpqua River Basin Region in Oregon.

## NATIONAL FOREST SYSTEM

\$1,257,057,000 is appropriated for the National Forest System instead of \$1,256,253,000 as proposed by the conference agreement on H.R. 1977. The change from the earlier agreement is an increase of \$804,000 for collocation of the Oregon State office of the Bureau of Land Management with the Pacific northwest regional office of the Forest Service.

*Bill Language.* The managers have not agreed to a specific dollar limitation on travel expenses within the National Forest System as proposed by the Senate.

## CONSTRUCTION

\$163,600,000 is appropriated for Construction instead of \$163,500,000 as proposed by the conference agreement on H.R. 1977. The change from the earlier agreement is an increase of \$100,000 for collocation of the Oregon State office of the Bureau of Land Management with the Pacific northwest regional office of the Forest Service.

*Bill Language.* Language has been included to permit the transfer of trail construction funds, appropriated in fiscal year 1995 for the construction of the Columbia Gorge Discovery Center, to the group titled the "Non-Profit Citizens for the Columbia Gorge Discovery Center", as proposed by the Senate.

## LAND ACQUISITION

\$39,400,000 is appropriated for Land Acquisition instead of \$41,200,000 as proposed by the conference agreement on H.R. 1977, a reduction of \$1,800,000 below the earlier agreement, including decreases of \$1,700,000 for Federal land acquisition and \$100,000 for acquisition management. The managers are very concerned that the Service has proceeded with specific land acquisitions this year without the approval of the House and Senate appropriations committees, and bill language has been included requiring the Service to obtain the approval of the committees before proceeding with any further land acquisitions in fiscal year 1996.

## SOUTHEAST ALASKA ECONOMIC DISASTER FUND

\$110,000,000 is appropriated for the Southeast Alaska Economic Disaster Fund. No funds were provided for this new account in the conference agreement on H.R. 1977. These funds are provided for grants to communities affected by the declining timber program on the Tongass National Forest. This issue is discussed in more detail in section 325 of Title III—General Provisions.

## ADMINISTRATIVE PROVISIONS, FOREST SERVICE

The Tongass National Forest provisions addressed under this heading in the conference agreement on H.R. 1977 have been

moved to section 325 under Title III—General Provisions.

## DEPARTMENT OF ENERGY

## FOSSIL ENERGY RESEARCH AND DEVELOPMENT

\$417,018,000 is appropriated for Fossil Energy Research and Development instead of \$417,169,000 as proposed by the conference agreement on H.R. 1977. The change from the earlier agreement is a decrease of \$151,000 for headquarters administration.

The managers understand that the fiscal year 1997 budget will reflect the transfer of the health and safety research programs of the Bureau of Mines to the National Institute for Occupational Safety and Health (NIOSH) in the Department of Health and Human Services. The managers encouraged such a transfer in the fiscal year 1996 conference agreement on H.R. 1977 and see no reason to delay the transfer. The managers strongly encourage the Department of Energy to enter into an interagency agreement with NIOSH for the fiscal year 1996 funding. In determining the allocation of funds for the transferred functions, the managers expect the DOE and NIOSH to consider the concerns of all interested parties, including industry and labor. The managers also expect the agencies to recognize the importance of maintaining a health and safety research presence in the East and in the West.

## ENERGY CONSERVATION

\$553,189,000 is appropriated for Energy Conservation instead of \$553,293,000 as proposed by the conference agreement on H.R. 1977. The change from the earlier agreement is a decrease of \$104,000 for headquarters administration.

DEPARTMENT OF HEALTH AND HUMAN  
SERVICES

## INDIAN HEALTH SERVICE

## INDIAN HEALTH SERVICES

*Bill Language.* The managers have not agreed to earmark funds for inhalant abuse treatment programs as proposed by the Senate. The managers understand that the Indian Health Service provides for both direct care and referrals for adolescents afflicted with inhalant abuse problems and encourage IHS to continue to refer patients, as appropriate, for treatment of such abuse. The managers are aware of the particular expertise of the Our Home Inhalant Abuse Center, and encourage IHS to continue to refer patients to this facility, as appropriate.

## OTHER RELATED AGENCIES

## SMITHSONIAN INSTITUTION

## SALARIES AND EXPENSES

\$311,188,000 is appropriated for Salaries and Expenses instead of \$308,188,000 as proposed by the conference agreement on H.R. 1977. The change from the earlier agreement is an increase of \$3,000,000 for voluntary separation incentive payments and other costs associated with employee separations pursuant to the authority provided for employee "buy-outs" in section 339 of this Act.

## TITLE III—GENERAL PROVISIONS

*Section 314.* Deletes the language dealing with the Interior Columbia Basin Ecosystem Management Project proposed in the conference agreement on H.R. 1977 and replaces it with a limitation on the use of funds for implementing regulations or requirements to regulate non-Federal lands with respect to this project.

*Section 325.* Bill language is included providing for a one-year moratorium on establishment of a new Tongass Land Management Plan for the Tongass National Forest in southeast Alaska. The moratorium would be in effect for one year after the date of enactment of this Act rather than for two fiscal years as proposed by the conference

agreement on H.R. 1977. In amending or revising the current plan, the Secretary may establish habitat conservation areas, and impose any restriction or land use designations deemed appropriate, so long as the number of acres in the timber base and resulting allowable sale quantity is not less than the amounts identified in the preferred alternative (alternative P) in the October 1992 Tongass land and resource management plan. The Secretary may implement compatible standards and guidelines, as necessary, to protect habitat and preserve multiple uses of the Tongass National Forest.

The language has been augmented from the version included in H.R. 1977 to address the Administration's concerns about clearcutting. The provision makes it clear that nothing in this section shall be interpreted as mandating clearcutting or unsustainable timber harvesting. The language also makes it clear that any revision, amendment, or modification shall be based on research results obtained through the application of the scientific method and sound, verifiable scientific data. Data are sound, verifiable, and scientific only when they are collected and analyzed using the scientific method. The scientific method requires the statement of an hypothesis capable of proof or disproof; preparation of a study plan designed to collect accurate data to test the hypothesis; collection and analysis of the data in conformance with the study plan; and confirmation, modification, or denial of the hypothesis based upon peer-reviewed analysis of the collected data. The data used shall include information collected in the southeast Alaska ecosystem.

The section also includes language to allow certain timber sales, that have cleared the National Environmental Policy Act (NEPA) and the Alaska National Interest Lands Conservation Act (ANILCA) review processes, to be awarded if the Forest Service determines that additional analysis under NEPA and ANILCA is not necessary.

The managers have also provided authority to the President to suspend the provisions mentioned above with respect to the Tongass National Forest in Alaska if he determines that such a suspension is appropriate based on public interest in sound environmental management or protection of cultural, biological or historic resources. Any such suspension must be reported to the Congress. Language is included to clarify that if the suspension is exercised, the duration of the suspension would not exceed the period in which the provisions of the section would otherwise be in effect.

The managers are very concerned about the negative impacts on the southeastern Alaska economy of a declining Federal timber program on the Tongass National Forest. The managers are aware of concerns that proposed modifications to the Tongass Land Management Plan give insufficient attention to the economic ramifications of a reduced timber sales program, and urge the Administration to consider strongly the socioeconomic impacts of its proposed alternatives. In implementing this section, the Forest Service shall prepare a city-by-city socioeconomic analysis of the effect of reducing the suitable timber land base or timber sales levels on the communities of southeast Alaska and on the potential of restoring a timber economy in Wrangell and Sitka.

To address these job losses and economic impacts, a new southeast Alaska disaster assistance fund totaling \$110 million has been established under the Forest Service. The funds are provided as direct grants to the affected communities to employ former timber workers and for community development projects, and as direct payments in proportion to the percentage of Tongass timber re-

ceipts realized by these communities in fiscal year 1995.

The grants are provided with broad authority for the community to pursue economic and infrastructure development projects that employ displaced timber workers. This fund is intended to be an interim measure until while uncertainties with the available timber supply are resolved and a timber economy revitalized. The managers encourage the affected communities to develop comprehensive plans for how they intend to spend these funds.

The managers strongly urge the Administration to comply with the requirement of the Tongass Timber Reform Act to meet "market demand" for timber sales on the Tongass. The President may nevertheless choose to suspend this section.

The managers agree that the availability of funds from this new disaster assistance fund is contingent upon the President executing the waiver authority. In the event legislation is enacted in the future that increases the timber sales program to meet market demand on the Tongass National Forest, it would be the expectation of the managers that these funds would be no longer available.

**Travel.** The managers have not agreed to place a statutory limit on the use of travel funds as proposed by the House. The managers expect each agency under the jurisdiction of the Interior and Related Agencies bill to monitor carefully travel expenses and to avoid non-essential travel.

**Section 336.** Inserts new language placing a moratorium on the issuance of a final rule-making on jurisdiction, management and control over navigable waters in the State of Alaska with respect to subsistence fishing. The moratorium is for fiscal year 1996 rather than through May 15, 1997, as proposed by the Senate. The managers are concerned that recent court decisions place requirements on the Departments of the Interior and Agriculture to assume management authority in navigable waters and that such management could cost each agency several millions of dollars annually. In an era of declining budgets, this added burden would have an adverse impact on other important programs. The managers urge the State of Alaska and all parties involved to work toward developing a viable, long term solution to the subsistence problem. The solution should provide for State management of fish and wildlife in Alaska while protecting those who depend on subsistence resources.

**Employee Details.** The managers have not agreed to place a statutory limitation on the temporary detail of employees within the Department of the Interior as proposed by the House. The Department should continue to report quarterly on the use of employee details and should not use such personnel details to offset programmatic or administrative reductions.

**Section 337.** Directs the Department of the Interior to transfer to the Daughters of the American Colonists a plaque in the possession of the National Park Service. The Park Service currently has this plaque in storage and this provision provides for its return to the organization that originally placed the plaque on the Great Southern Hotel in Saint Louis, Missouri in 1933 to mark the site of Fort San Carlos.

**Section 338.** Inserts new language requiring that funds obligated for salaries and expenses of the Pennsylvania Avenue Development Corporation and for international forestry activities of the Forest Service be offset from other specified sources upon enactment of this Act.

**Section 339.** Provides one-time authority for the Smithsonian Institution to offer early retirement opportunities and retirement bonuses to employees through October 1, 1996.

**Greens Creek Land Exchange.** The managers have not agreed to bill language, proposed by the Senate in Title III, section 3015 of the Senate passed version of H.R. 3019, which would have incorporated the Greens Creek Land Exchange Act of 1996 into this Act. This legislation was signed into law (Public Law 104-123) on April 1, 1996.

#### DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

**Agency Priorities.** The managers have not agreed to statutory language, proposed by the Senate in section 1203 of Title II, chapter 12, which would have mandated the allocation of emergency supplemental funds based on agency prioritization processes. The managers understand that the initial estimates of emergency requirements that have been provided are based on very preliminary information and that those initial estimates, because of time constraints, may not have included every project which needs to be addressed. The managers expect each agency to develop on-the-ground estimates of all its natural disaster related needs and to address these needs consistent with agency priorities.

**Contingent Appropriations.** The availability of those portions of the appropriations detailed in this chapter that are in excess of the Administration's budget request for emergency supplemental appropriations are contingent upon receipt of a budget request that includes a Presidential designation of such amount as emergency requirements as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

#### DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT CONSTRUCTION AND ACCESS

An additional \$5,000,000 in emergency supplemental appropriations for Construction and Access is made available as proposed by the Senate instead of \$4,242,000 as proposed by the House. Of this amount, \$758,000 is contingent upon receipt of a budget request that includes a Presidential designation of such amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

#### OREGON AND CALIFORNIA GRANT LANDS

An additional \$35,000,000 in emergency supplemental appropriations for Oregon and California Grant Lands is made available as proposed by the Senate instead of \$19,548,000 as proposed by the House. Of this amount, \$15,452,000 is contingent upon receipt of a budget request that includes a Presidential designation of such amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

#### UNITED STATES FISH AND WILDLIFE SERVICE RESOURCE MANAGEMENT

An additional \$1,600,000 in emergency supplemental appropriations for Resource Management is made available as proposed by the Senate instead of no funding as proposed by the House. The entire amount is contingent upon receipt of a budget request that includes a Presidential designation of such amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

#### CONSTRUCTION

An additional \$37,300,000 in emergency supplemental appropriations for Construction is made available as proposed by the Senate instead of \$20,505,000 as proposed by the House. Of this amount, \$16,795,000 is contingent upon receipt of a budget request that includes a Presidential designation of such amount as an emergency requirement as defined in the

Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

The managers have neither agreed to bill language, proposed by the Senate, earmarking specific funds for Devils Lake, ND nor to report language earmarking funds for other locations. The Service should carefully consider the needs at Devils Lake, ND and at Kenai, AK as it allocates funds.

NATIONAL PARK SERVICE  
CONSTRUCTION

An additional \$47,000,000 in emergency supplemental appropriations for Construction is made available as proposed by the Senate instead of \$33,601,000 as proposed by the House. Of this amount, \$13,399,000 is contingent upon receipt of a budget request that includes a Presidential designation of such amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

UNITED STATES GEOLOGICAL SURVEY  
SURVEYS, INVESTIGATIONS, AND RESEARCH

An additional \$2,000,000 in emergency supplemental appropriations for Surveys, Investigations, and Research is made available as proposed by the Senate instead of \$1,176,000 as proposed by the House. Of this amount, \$824,000 is contingent upon receipt of a budget request that includes a Presidential designation of such amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

BUREAU OF INDIAN AFFAIRS  
OPERATION OF INDIAN PROGRAMS

An additional \$500,000 in emergency supplemental appropriations for the Operation of Indian Programs is made available as proposed by the House and by the Senate.

CONSTRUCTION

An additional \$16,500,000 in emergency supplemental appropriations for Construction is made available as proposed by the Senate instead of \$9,428,000 as proposed by the House. Of this amount, \$7,072,000 is contingent upon receipt of a budget request that includes a Presidential designation of such amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

TERRITORIAL AND INTERNATIONAL AFFAIRS  
ASSISTANCE TO TERRITORIES

An additional \$13,000,000 in emergency supplemental appropriations for Assistance to Territories is made available as proposed by the Senate instead of \$2,000,000 as proposed by the House. Of this amount, \$11,000,000 is contingent upon receipt of a budget request that includes a Presidential designation of such amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF AGRICULTURE  
FOREST SERVICE

NATIONAL FOREST SYSTEM

An additional \$26,600,000 in emergency supplemental appropriations for the National Forest System is made available as proposed by the Senate instead of \$20,000,000 as proposed by the House. Of this amount \$6,600,000 is contingent upon receipt of a budget request that includes a Presidential designation of such amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

The managers have not agreed to bill language, proposed by the Senate, earmarking specific funds for the Amalgamated Mill site in the Willamette National Forest, OR. The Service should carefully consider the needs at this site as it allocates funds.

CONSTRUCTION

An additional \$60,800,000 in emergency supplemental appropriations for Construction is made available as proposed by the Senate instead of \$60,000,000 as proposed by the House. Of this amount, \$20,800,000 is contingent upon receipt of a budget request that includes a Presidential designation of such amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

APPROPRIATIONS FOR THE DEPARTMENTS OF  
LABOR, HEALTH AND HUMAN SERVICES AND  
EDUCATION AND RELATED AGENCIES

Section 101(d) of H.R. 3019 provides appropriations for programs, projects and activities in the Departments of Labor, Health and Human Services and Education and Related Agencies Appropriations Act, 1996. In implementing this agreement, the departments and agencies should comply with the language and instructions set forth in House report 104-209 and Senate reports 104-145 and 104-236. In those cases where this language and instruction specifically addresses the allocation of funds which parallels the funding levels specified in the Congressional budget justifications accompanying the fiscal year 1996 budget or the underlying authorizing statute, the conferees concur with those recommendations. With respect to the provisions in the above House and Senate reports that specifically allocate funds that are not allocated by formula in the underlying statute or identified in the budget justifications, the conferees have reviewed each and have included those in which they concur in this joint statement.

None of the appropriations provided herein are contingent upon any subsequent actions by the Congress or the President.

The Departments of Labor, Health and Human Services and Education and Related Agencies Appropriations Act, Fiscal Year 1996, put in place by this bill, incorporates the following agreements of the managers:

TITLE I—DEPARTMENT OF LABOR  
EMPLOYMENT AND TRAINING ADMINISTRATION  
TRAINING AND EMPLOYMENT SERVICES

The conference agreement includes \$4,146,278,000, instead of \$3,108,978,000 as proposed by the House and \$4,322,278,000 as proposed by the Senate. The agreement includes \$625,000,000 for the summer youth employment program, instead of \$635,000,000 as proposed by the Senate and no funding as proposed by the House.

The conference recognizes that in many high unemployment and high poverty areas, the number of low-income youth seeking summer employment far exceeds the number of job opportunities. The conference also recognizes, however, that the current federally-funded summer jobs program has not lived up to its potential for providing meaningful work experience and teaching solid job skills to such youth. The conference is also aware that the relevant authorizing committees are developing job training reform legislation to consolidate over 90 separate programs and to block grant funds and authority to States and localities. The conference, therefore, considers funds for the fiscal year 1996 summer jobs program to be transition funding—in future years to be folded into the new consolidated block grants for at-risk youth. Governors and localities will have considerable flexibility to use these funds in subsequent years to develop meaningful programs for at-risk youth that teach youngsters job skills in demand and sound work habits; that are closely linked to the needs of employers; and that offer integrated work and academic learning opportunities to youth who demonstrate a willingness to learn and responsible behavior.

The agreement includes an amount of \$2,500,000 for the fiscal year 1996 Paralympic Games, instead of \$5,000,000 as proposed in the House and Senate bills. These funds will be used by the organizer of the games for the following activities prior to, during, and immediately following the games: (1) training and employment costs of volunteers working in the games; (2) training and staff costs for the days of the games; (3) training and travel for officials of the games. The grantee shall provide such information as shall be required by the Department of Labor, including a detailed statement of work and budget, and financial reports providing a breakout of the costs of the activities performed under the grant. The conferees have also provided funding for the Paralympic Games in the Department of Education and in the Social Security Administration.

The agreement includes language to permit service delivery areas to transfer funds between titles II-B and II-C of the Job Training Partnership Act, with the approval of the Governor of the State. The House and Senate bills only permitted the transfer to take place from title II-C to title II-B. In addition, the agreement permits the transfer of funds between title II-A and title III of the Act as proposed by the Senate, instead of permitting the transfer of funds between all title II programs and title III as proposed by the House.

It is the intent of the conferees that in committing National Reserve account funds appropriated under title III of the Job Training Partnership Act, the Secretary of Labor encourage Governors to contract, where possible, with the private sector for the provision of outplacement services to Federal employees seeking employment in the private sector.

The conferees have included funds to continue the National Occupational Information Coordinating Committee (NOICC) and its affiliated State committees during the anticipated transition to a new administrative structure proposed in pending authorizing legislation and urge that the Departments of Labor and Education rely on NOICC advice and personnel during this transition.

The conference agreement for the Job Training Partnership Act pilots and demonstrations maintains the current level for the Microenterprise Grants program and the American Samoan employment and training program, and includes the level recommended in the Senate report accompanying H.R. 2127 for an industrial employment program for the disabled.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER  
AMERICANS

The conference agreement includes \$373,000,000, instead of \$350,000,000 as proposed by both the House and the Senate. The agreement earmarks 22 percent of the funds for the States and 78 percent for national contractors as proposed by the Senate, instead of 35 percent for the States and 65 percent for the contractors as proposed by the House.

STATE UNEMPLOYMENT INSURANCE AND  
EMPLOYMENT SERVICE OPERATIONS

The conference agreement includes \$110,000,000 for the one-stop career centers program as proposed by the Senate, instead of \$92,000,000 as proposed by the House.

PAYMENTS TO THE UNEMPLOYMENT TRUST FUND  
AND OTHER FUNDS  
(RESCISSION)

The conference agreement rescinds \$266,000,000 from this account as proposed by the Senate, instead of \$250,000,000 as proposed by the House.

EMPLOYMENT STANDARDS ADMINISTRATION  
SALARIES AND EXPENSES

The conference agreement includes \$266,644,000, instead of \$255,734,000 as proposed by the House and the Senate.

OCCUPATIONAL SAFETY AND HEALTH  
ADMINISTRATION  
SALARIES AND EXPENSES

The conference agreement includes \$304,984,000, instead of \$280,000,000 as proposed by the House and \$288,985,000 as proposed by the Senate.

It is the intent of the conferees that the Occupational Safety and Health Administration give high priority to effective voluntary cooperative efforts such as the Voluntary Protection Program.

DEPARTMENTAL MANAGEMENT  
SALARIES AND EXPENSES

The conference agreement includes \$141,350,000, instead of \$136,300,000 as proposed by the House and \$140,380,000 as proposed by the Senate. Additional funding is provided to avoid lengthy staff furloughs in the Benefits Review Board.

The conferees have provided \$8,900,000 for the Bureau of International Labor Affairs. This amount includes full funding for activities to combat international child labor problems as outlined in the Senate report on H.R. 2127.

The conferees understand that there is some question concerning the funding level for ILAB needed to avoid personnel furloughs. The conferees reiterate that they have provided transfer authority to the Secretary to deal with such exigencies and encourage him to propose reprogramming of funds if necessary to avoid furloughs.

In addition, the agreement includes language proposed by the Senate to restrict certain activities of the Office of the Solicitor and the Benefits Review Board with respect to cases under the Longshore and Harbor Workers' Compensation Act. The language provides that if the Board, prior to September 12, 1996, fails to act on any Longshore decision that has been appealed to it and has been pending before it for more than 12 months, the decision shall be considered affirmed by the Board on that date and shall be considered the final order of the Board for purposes of obtaining a review in the U.S. Courts of Appeal. Further, beginning on September 13, 1996, the Board shall decide all appeals under the Longshore Act not later than one year after the appeal was filed; if the Board fails to do so, then the decision shall be considered the final order of the Board for purposes of obtaining a review in the U.S. Courts of Appeal. The petitioner has the option to continue the proceeding before the Board for a period of 60 days; if no decision is made during that time, the decision shall be considered the final order of the Board for purposes of obtaining a review in the U.S. Courts of Appeals. The House bill had no similar provision. The language is not applicable to the review of any decisions under the Black Lung Benefits Act.

The conferees intend that, to the extent possible, funding for technical assistance and training for local displaced homemaker programs should not be reduced by more than the overall percentage reduction for the Women's Bureau.

The conferees support the ongoing efforts to rid the International Brotherhood of Teamsters of organized crime influence pursuant to the consent decree. Consistent with direction provided in both the House and Senate committee reports on the fiscal year 1996 appropriations bill, the conferees provide that up to \$5,600,000 of the amounts available for obligation to the Department of Labor during fiscal year 1996 may be allo-

cated for this purpose, subject to normal reprogramming requirements of the committees.

The conferees have agreed to include a fund transfer provision (section 103) to give the Department more flexibility in managing its appropriations. However, the continuation of this provision in the future will depend on the Department's achieving and maintaining audited financial statements in accordance with the Chief Financial Officers Act of 1990 and Office of Management and Budget Bulletin No. 93-06.

GENERAL PROVISIONS

The conference agreement includes a general provision proposed by the House modified to set aside section 427(c) of the Job Training Partnership Act in cases where a Job Corps center does not meet national performance standards established by the Secretary. The Senate bill had no similar provision. Section 427(c) prohibits the Department of Labor from contracting with a private contractor to operate a Job Corps civilian conservation center.

The conference agreement includes a general provision as proposed by the Senate modified to prohibit the Occupational Safety and Health Administration and the State programs that operate with Federal funds from promulgating or issuing any proposed or final standard or guideline with respect to ergonomic protection but permits the agency to conduct any peer-reviewed risk assessment activity regarding ergonomics. The House bill would have also prohibited the development of any standard or guideline and the recording and reporting of any occupational injuries and illnesses related to ergonomic protection.

TITLE II—DEPARTMENT OF HEALTH AND  
HUMAN SERVICES

HEALTH RESOURCES AND SERVICES  
ADMINISTRATION

HEALTH RESOURCES AND SERVICES

The conference agreement appropriates \$3,077,857,000 instead of \$3,052,752,000 as proposed by the House and \$2,954,864,000 in regular funding and \$55,256,000 in contingency funding as proposed by the Senate.

The conference agreement includes the legal citation for the Native Hawaiian Health Care program as proposed by the Senate. The House bill did not include the citation. The conferees have increased funding for the consolidated health centers line so that health care activities funded under the Native Hawaiian Health Care program can be supported under the broader health centers line if the agency feels it is appropriate.

The conference agreement includes an additional \$62,700,000 over fiscal year 1995 for title II of the Ryan White AIDS CARE Act for a total funding level of \$260,847,000. The House bill included an increase of \$52,000,000 over the fiscal year 1995 level. The Senate amendment provided the additional \$52,000,000 but as part of its contingent funding section. The conference agreement incorporates bill language in the Senate amendment that would make clear that the \$52,000,000 is to be used for the AIDS drug assistance portion of title II and distributed according to the current formula. The conference agreement also identifies in bill language the amounts appropriated for titles I and II of the Ryan White AIDS CARE Act as provided in the House bill.

The conference agreement does not include \$3,256,000 in contingency funding for the National Health Service Corps (NHSC) as proposed by the Senate. The conference agreement provides \$115,745,000 in non-contingent funding. The House bill did not include contingent funding for NHSC.

The conference agreement includes language as proposed by the House limiting new

cities entering the title I Ryan White program to those permitted in the pending reauthorization bill. The Senate amendment had no similar provision.

The conference agreement includes language holding the formula grant funding for current title I grantees under the Ryan White AIDS CARE Act to no less than 99 percent of their fiscal year 1995 funding level by reallocating supplemental grant funds. The Senate amendment included a hold harmless provision assuring 100 percent of the fiscal year 1995 funding level in fiscal year 1996 for current title I grantees. The House bill had no comparable provision.

The conference agreement deletes language proposed in the Senate amendment and last year's bill identifying funding for Area Health Education Centers and overriding set-asides in the authorizing statute pertaining to the types of centers that may be funded. The House bill had no comparable provision. The conferees understand that this language is no longer necessary.

The conference agreement modifies a technical legal citation contained in both the House bill and Senate amendment pertaining to the Federal Tort Claims Act.

The conferees intend that the agency may use up to \$3,000,000 of the funding provided for the National Health Service Corps for State offices of rural health.

The conferees strongly believe that the family planning program should be formally administered, as well as funded, in the Health Resources and Services Administration as a separate program within the Office of the Administrator, but have chosen to leave the decision regarding administration to the Secretary and have not mandated the transfer.

The conferees include \$20,000,000 for health care facilities grants, of which \$10,000,000 is designated for the facility requested in the President's fiscal year 1996 budget, and \$10,000,000 is designated for items identified in the Senate report accompanying the amendment to H.R. 3019 pertaining to oral health care and health care for disadvantaged women. Also included as part of this second \$10,000,000 is funding to improve rural health care access.

CENTERS FOR DISEASE CONTROL AND  
PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING  
(RESCISSION)

Full year funding for the Centers for Disease Control and Prevention (CDC) was provided in P.L. 104-91, the continuing resolution enacted January 6, 1996.

The conference agreement includes language as proposed by the House rescinding obligated, but unexpended, balances from grants to States in fiscal years 1993, 1994, and 1995 for immunization activities. The agreement includes language as proposed by the House providing authority to transfer funds available from the sale of surplus vaccine from the vaccine stockpile to other activities within the jurisdiction of the agency, with prompt notification of Congress of any transfer. These two provisions were included in nearly identical form in sections 209 and 211 of the Senate amendment. The conference agreement incorporates one technical citation change on the second provision contained in the Senate amendment.

The conferees are agreed that funding for the research and training activities of the National Institute for Occupational Safety and Health has been provided on a consolidated basis as proposed by the Senate. The table printed in the CONGRESSIONAL RECORD accompanying H.R. 3019 as passed by the House had allocated funds separately for research and training activities.

The conferees are supportive of CDC proceeding with a school-based immunization

demonstration program to carry forward the recommendations of the Advisory Committee on Immunization Practices for early adolescents, to the extent this is possible using available funds, including section 317 carry-over funds.

The conferees are aware of the benefits of community health promotion programs that control the spread of infectious diseases, reduce chronic disease, and lower risk factors and encourage the Director to support activities to evaluate innovative health information dissemination programs for the development of models for public outreach and professional development.

The conferees intend that as CDC applies the \$31,000,000 administrative reduction that was included in P.L. 104-91 providing full year funding for the agency that equipment expenditures be included in the definition of administrative expenses.

The conferees confirm their understanding that the National Immunization Survey will be continued in fiscal year 1996.

#### NATIONAL INSTITUTES OF HEALTH

The National Institutes of Health (NIH) were funded for the full year in P.L. 104-91, the continuing resolution enacted January 6, 1996.

The conferees have specifically endorsed the following initiatives mentioned in the Senate report:

- (a) The neurodegenerative disorders initiative within the Office of the Director;
- (b) The Office of Rare Disease Research program;
- (c) The Institutional Development Award Program (IDeA) grant program; and
- (d) The Office of Dietary Supplements program.

Of the \$20,000,000 provided within the National Center for Research Resources for extramural facility construction, the conferees intend that \$2,500,000 be reserved for construction and renovation projects at qualified regional primate centers.

The conferees are very supportive of the efforts of the National Institute on Aging to enhance research on Alzheimer's disease and urge the Institute to consider it a top priority. The conferees understand that promising research opportunities in the neuroscience of Alzheimer's disease exist, including research on the formation and maintenance of synapses, the mechanisms of beta-amyloid formation, and the biochemical action mechanisms of drugs used in the treatment of Alzheimer's disease. The Institute is strongly encouraged to focus additional attention on these promising areas, including consideration of expanding the number of Alzheimer's Disease research centers.

The conferees are supportive of expanding alternative resources to the use of animals, particularly through ensuring regular access to human tissues and organs. The conferees recommend that the Director of NIH give consideration to establishing a multi-Institute initiative to support an expanded human tissue resource and ensure that the needs of the scientific community can be served.

The conferees are agreed that sufficient funds have been provided within the Office of the Director to provide core support for the National Bioethics Advisory Commission.

The conferees intend NIH to hold administrative costs within the research management and support category to 7.5 percent below fiscal year 1995 levels (with an additional 2.5 percent reduction to congressional and public affairs functions) as indicated in the House report on H.R. 2127. However, the conferees do not intend that public education programs that are placed within the research management and support budget of some Institutes be considered part of the cost pool to be reduced.

The conferees request NIH to expeditiously complete review of its intramural primate facilities and promptly begin the surplus of those facilities NIH deems to be excess property.

Public Law 104-91, which provided full year funding for the National Institutes of Health, includes \$26,598,000 for the Office of AIDS Research (OAR), including \$10,000,000 for the Director's emergency discretionary fund authorized by section 2356 of the Public Health Service Act. Funding for AIDS research for fiscal year 1996 was provided in the manner set forth in H.R. 2127 as passed by the House, which provided appropriations to each Institute including funding for AIDS. The bill as reported in the Senate had appropriated funds for AIDS research to the Office of AIDS Research, as had been done in fiscal year 1995. The conferees are agreed that the fiscal year 1996 funding structure for AIDS research activities of the NIH is not a precedent for the allocation of AIDS research funding for fiscal year 1997. The conferees continue to strongly support the critical work of the Director of the OAR to coordinate the scientific, budgetary, legislative, and policy elements of the NIH AIDS research program and agree that the funding structure for AIDS research in fiscal year 1996 should not diminish this important responsibility. The conferees note that section 212, providing 3 percent transfer authority within the total identified by the NIH for AIDS research, enhances the Director's authority to ensure that AIDS research supported by the NIH is carried out in accordance with the AIDS research plan.

#### SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

The conference report provides \$1,883,715,000 for the Substance Abuse and Mental Health Services Administration, of which \$275,420,000 is provided for the mental health block grant, and \$1,234,107,000 is provided for the substance abuse block grant. The agreement also funds consolidated substance abuse treatment and substance abuse prevention demonstration programs at \$90,000,000 each. The House bill included \$1,883,715,000 and the Senate bill included \$1,800,469,000.

The conferees understand that SAMHSA has undertaken an agency reorganization to streamline administrative functions. In addition, the agency will begin implementation of new knowledge development and application (KDA) grants in fiscal year 1996. The conferees continue to encourage SAMHSA to focus on evaluation and reporting of outcomes for activities funded under the block grants, demonstrations and KDAs. The conferees understand that KDA grants will generally fund applied research and evaluation, not services. The agreement specifically directs that any KDA grant include a plan to measure and publicly report outcomes relating to the grantee's stated goals and, where relevant, the incidence of substance abuse among individuals studied. The conferees strongly encourage SAMHSA to aggressively and effectively disseminate the results of KDA grants and to integrate these results into services funded in whole or in part by the Federal block grants as well as non-federally funded substance abuse and mental health services. In determining the allocation of funding to existing substance abuse demonstration projects, the conferees encourage the agency to give full consideration to those projects which impact pregnant women and children.

The conferees recommend that in awarding KDA grants to eligible grantees the Secretary give priority to the development of knowledge and specific interventions that improve the quality and access to services in

areas where there is a high incidence of substance abuse and mental illness coupled with other contributing conditions such as high rates of co-morbidities, particularly HIV infection, long waiting lists for treatment, or homelessness.

#### AGENCY FOR HEALTH CARE POLICY AND RESEARCH

##### HEALTH CARE POLICY AND RESEARCH

The conference agreement provides a total funding level of \$125,310,000 as proposed by the House instead of \$128,470,000 as proposed by the Senate. Of this amount, \$65,186,000 is provided in Federal funds and \$60,124,000 is provided through one percent evaluation funding. The House bill provided \$94,186,000 in Federal funds and \$31,124,000 in one percent funding, while the Senate amendment provided \$65,390,000 in Federal funds and \$63,080,000 in one percent evaluation funding.

#### HEALTH CARE FINANCING ADMINISTRATION

##### PROGRAM MANAGEMENT

The conference agreement makes available \$1,734,810,000 as proposed by the House instead of \$2,111,406,000 as proposed by the Senate and provides an additional \$396,000,000 within title VI of the bill for payment safeguard activities, providing total program management funding of \$2,130,810,000. The Senate amendment had no comparable title VI provision. The funding in title VI would be canceled if there is a subsequent appropriation enacted for Medicare contractors in an authorizing bill.

The conferees strongly encourage Medicare contractors to promptly purchase and utilize commercially available automated data processing systems designed to detect abusive Medicare billings.

The conferees encourage the Health Care Financing Administration to conduct a demonstration program to evaluate whether cardiac case management of patients suffering from congestive heart failure would increase the quality of care delivered and patient satisfaction, as well as deliver such care in a more cost effective manner than current practice.

The conferees specifically endorse the following:

(a) No funds may be used for implementation of the Medicare/Medicaid data bank as mentioned in the House report;

(b) HCFA is encouraged to give full and fair consideration to a proposal to develop a comprehensive health care information management system that would link patient care data across the full range of health care as mentioned in the Senate report.

#### ADMINISTRATION FOR CHILDREN AND FAMILIES

##### LOW INCOME HOME ENERGY ASSISTANCE PROGRAM

##### (INCLUDING RESCISSION)

The conference agreement provides a rescission of \$100,000,000 in previously appropriated 1996 funding as recommended in the House and Senate bills. Total fiscal year 1996 funding for the Low Income Home Energy Assistance Program (LIHEAP) is \$900,000,000. The conferees intend that up to \$22,500,000 of the amounts provided for LIHEAP for fiscal year 1996 be used for the leveraging incentive fund. The conference agreement provides \$300,000,000 for the contingency fund for fiscal year 1997, instead of providing that amount for fiscal year 1996 as proposed by the Senate. The agreement also extends the availability for another year of any funds remaining unobligated in the contingency fund at the end of fiscal year 1996. Finally, the agreement does not provide advance fiscal year 1997 funding for the LIHEAP program, the same as the House bill and \$1,000,000,000 less than the Senate bill. Funding for FY 1997 will be considered as part of the regular fiscal year 1997 appropriations bill.



## REFUGEE AND ENTRANT ASSISTANCE

The conference agreement provides \$402,172,000 for Refugee and Entrant Assistance programs, instead of \$397,872,000 as proposed in both the House and Senate bills. The agreement includes \$55,397,000 for the Targeted Assistance program, an increase of \$4,300,000 above the amount provided in the House and Senate bills and the same amount provided in fiscal year 1995. The conferees expect that domestic health assessment activities within the preventive health program will be administered in accordance with the decisions of the Secretary of Health & Human Services and direct the Department to notify the Appropriations Committee of such decisions in a timely manner. The conferees agree to the allocation of targeted assistance contained in the House Report 104-209.

## SOCIAL SERVICES BLOCK GRANT

The conference agreement provides a mandatory appropriation for the Social Services Block Grant of \$2,381,000,000. The House bill provided \$2,520,000,000, and the Senate bill provided \$2,310,000,000.

## CHILDREN AND FAMILIES SERVICES PROGRAM

The conference agreement includes \$4,788,364,000, instead of \$4,715,580,000 as proposed by the House and \$4,743,604,000 as proposed by the Senate.

The conferees agree with language in Senate report 104-145 which would allocate \$1,500,000 under the developmental disabilities program for the fifth year of a 5-year demonstration project known as transition and natural supports in the workplace.

It has come to the attention of the conferees that eligible Community Development Corporations serving remote rural areas have encountered difficulty in meeting some of the criteria for competing for Community Economic Development (CED) grants. The conferees strongly urge the Office of Community Services to adjust the criteria used in evaluating applications to take into account the unique aspects of job creation in remote rural areas, particularly as they relate to cost per job requirements.

With respect to Head Start, the conference agreement does not include \$250,000 proposed in Senate report 104-145 to continue a demonstration program to train head start teachers in scientific principles. No funds were included for the program in the House bill.

With respect to the transitional living program for runaway and homeless youth, the conferees are agreed that the increase provided over the fiscal year 1995 amount shall be for nine grantees whose grants expired in September, 1995 and who were unable to compete for fiscal year 1996 grants because of a departmental administrative oversight.

The conference agreement includes an earmark of \$435,463,000 for the Community Services Block Grant Act as proposed by the Senate. The House had earmarked the same amount in a different manner.

## ADMINISTRATION ON AGING

## AGING SERVICES PROGRAMS

The conference agreement includes \$829,393,000, instead of \$801,232,000 as proposed by the House and \$831,027,000 as proposed by the Senate.

The agreement eliminates as separate line items the ombudsman program and the prevention of elder abuse program. Funds for these programs are earmarked in the bill within the supportive services and centers line time and the fiscal year 1995 level.

The agreement includes a legislative provision as proposed by the Senate that would prevent any State from having its administrative costs under title III of the Older Americans Act reduced by more than five

percent below the fiscal year 1995 level. The House had no similar provision.

The conference agreement includes three specific funding levels identified in Senate report 104-145 with respect to the aging research program.

## OFFICE OF THE SECRETARY

## GENERAL DEPARTMENTAL MANAGEMENT

The conference agreement includes \$146,127,000, instead of \$143,127,000 as proposed by the House and \$137,127,000 as proposed by the Senate.

The conferees have included an additional \$2,000,000 for the Office of the Secretary of the Department of Health and Human Services. The conferees intend that none of these additional funds shall be available to the Office of Intergovernmental Affairs, the immediate office of the Assistant Secretary for Health, the Office of the Assistant Secretary for Legislation or the Office of the Assistant Secretary for Public Affairs. The Secretary is requested to notify the Appropriations Committees of any employees detailed into these offices. The conferees commend the Secretary for the recent reorganization of her office and her decision to replace the Office of the Assistant Secretary for Health with a smaller office which would serve as the senior advisor for health policy. The conferees direct that the Secretary provide the Appropriations Committees with the estimated funding levels and FTE levels for each of the individual offices for fiscal year 1996 funded from this account as soon as possible after enactment of this bill.

The conferees are agreed that funds are to be made available to the Office of Women's Health from funds available to the Department to carry out development and implementation of the national women's health clearinghouse.

Sufficient funds have been included by the conferees for the continuation of the existing human services transportation technical assistance program at the fiscal year 1995 funding level.

The agreement does not include a legal citation for the National Vaccine program as proposed by the Senate. The House bill included no citation. No funding is provided within this account for this program.

The agreement includes a House provision identifying \$7,500,000 for extramural construction within the Office of Minority Health. The Senate bill did not include this provision.

## OFFICE OF INSPECTOR GENERAL

The conference agreement includes total funding for the Office of Inspector General of \$79,162,000 as proposed by the Senate instead of \$73,956,000 as proposed by the House. Of the total amount, \$43,000,000 is provided in title VI of the Labor-HHS-Education Appropriations Act as proposed by the House, and the balance of the funds are provided in this account.

The agreement includes language proposed by the Senate, not included by the House, which would allow the Inspector General to expend funds transferred to it by the Departments of Justice or Treasury or the Postal Service as a result of asset forfeitures. The forfeitures would be from investigations in which the IG participated.

PUBLIC HEALTH AND SOCIAL SERVICES  
EMERGENCY FUND

The conference agreement includes \$9,000,000 for the Emergency Fund as proposed by the Senate. The House bill included no provision for this.

With respect to the \$2,000,000 identified for the implementation of clinical trials related to the early detection of breast cancer, the conferees are agreed that those departmental agencies and institutes with substantial ex-

perience and expertise in these matters must be directly involved in the administration of this effort.

## GENERAL PROVISIONS

The conference agreement includes a limitation in the House bill which prohibits the use of funds for a statutory set-aside earmarking the first \$5,000,000 of any funds appropriated for NIH extramural facility construction for primate centers. Instead, the conferees have reserved \$2,500,000 of the NIH funds provided for extramural construction for primate centers. The Senate amendment had no similar provision.

The conference agreement includes a provision limiting the amount of one percent evaluation set-aside funding that can be tapped from the Public Health Service agencies to amounts identified in the conference report prior to a report to Congress. The agreement also includes language prohibiting other taps and assessments unless reported to Congress. The House bill and the Senate amendment had similar language for the first provision; the House bill included languages similar to the second provision.

The conference agreement includes a general provision as proposed by the House that prohibits the funding of the Federal Council on Aging and the Advisory Board on Child Abuse and Neglect. The Senate had no similar provision.

The conference agreement deletes language included in the Senate amendment pertaining to a rescission of Centers for Disease Control and Prevention (CDC) funding and a reallocation of funds in the agency's vaccine stockpile surplus. These provisions were included under a CDC heading in the House bill, which is reflected in the conference agreement.

## (TRANSFER OF FUNDS)

The conference agreement includes a general provision as proposed by the House that would authorize the Department of Health and Human Services to transfer up to one percent of funds in any appropriation account to any other account in the Department, provided that the receiving account is not increased by more than three percent thereby and that the Appropriations Committees are notified at least 15 days in advance of any transfer. The Senate had no similar provision.

The conferees have agreed to include this transfer provision to give the Department more flexibility in managing its appropriations. However, the continuation of this provision in the future will depend on the Department's achieving and maintaining audited financial statements in accordance with the Chief Financial Officers Act of 1990 and Office of Management and Budget Bulletin No. 93-06.

## (TRANSFER OF FUNDS)

The conference agreement includes language permitting the Director of the National Institutes of Health jointly with the Director of the Office of AIDS Research to transfer up to 3 percent among the Institutes, Centers, and the National Library of Medicine from the total identified in their apportionment for AIDS research. The transfer must take place within 30 days of enactment of the Act and Congress is to be promptly notified. The House bill and the Senate amendment had similar provisions.

The conference agreement includes a provision in the House bill permitting the National Library of Medicine at the National Institutes of Health to enter into personal services contracts. The Senate amendment had no similar provision.

The conference agreement deletes without prejudice a general provision proposed by the Senate that would deem an AFDC waiver

submitted by the State of Texas under section 1115 of the Social Security Act approved upon the date of enactment of this Act, notwithstanding the Secretary's authority to approve the application. The House had no similar provision.

The conference agreement includes a provision in the Senate amendment requiring the Secretary of Health and Human Services to reimburse Medicaid claims for State-operated psychiatric hospitals between December 31, 1993 and December 31, 1995 that the Secretary would otherwise intend to defer for reimbursement. The provision caps the total amount of claims that could be reimbursed at \$54,000,000. The conferees added a provision establishing a new Medicaid matching formula for a State highly affected by disproportionate share hospital payments, effective for State fiscal years 1996-97 and 1997-1997. The house bill had no similar provisions.

The conferees are aware of a number of outstanding Medicaid issues which could not be addressed in this bill. Of particular concern is the 100 percent cap on funding for public hospitals as well as the dilemma faced by several States that have included a modified Federal matching payment in their fiscal year 1997 budgets, reflecting the effort made by the Congress in Medicaid Reform to address the current inequity faced by States with rates between 40 and 50 percent. The conferees understand the difficulties that may State Medicaid programs are experiencing, and urge that these important matters be addressed expeditiously by the authorizing committees.

#### TITLE III—DEPARTMENT OF EDUCATION EDUCATION REFORM

The conference agreement includes \$530,000,000 for Education Reform programs. Included in this amount is \$350,000,000 for the Goals 2000: Educate America Act and language, proposed by the House, which prohibits the use of funds for Goals 2000 national programs. Also included is \$180,000,000 for school-to-work programs. The House bill provided \$484,500,000 for Education Reform activities, including a contingent appropriation of \$389,500,000. The Senate amendment provided \$536,000,000 and included \$151,000,000 in fiscal year 1997 funding.

The conference agreement amends the Goals 2000: Educate America Act. Specifically, the agreement includes language in title VII of the bill which:

Permits school districts, in States that elect not to participate in the Goals 2000 program, to apply directly to the Secretary of Education for Goals 2000 funding, if the State education agency approves;

Eliminates the requirement that States submit their improvement plans to the Secretary of Education for approval;

Deletes the requirement for the composition of State and local panels that develop State and local improvement plans;

Eliminates the National Education Standards and Improvement Council;

Removes the requirement for States to develop opportunity-to-learn standards;

Clarifies that no State, local education agency, or school shall be required, as a condition of receiving assistance under this title to provide outcomes-based education, or school-based health clinics; and

Clarifies that nothing in the Goals 2000 legislation will require or permit any State or Federal official to inspect a home, judge how parents raise their children, or remove children from their parents.

The conferees agree that a State education agency must give approval in order for a local educational agency to apply to the Secretary of Education for funding. A State educational agency is permitted to make a blanket

approval or disapproval regarding the participation of local education agencies.

Regarding the provision on alternatives to secretarial approval of State plans, the conferees agree that submission of such report and notification of amendments to previous State plans meets the requirements of section 306.

The conferees agree that local education agencies, as part of their school improvement plan, can use their Goals 2000 funds for the acquisition of computer technology and the use of technology-enhanced curricula and instruction. The Department of Education is encouraged to advise States that their Goals 2000 funds may be used for this purpose.

The conference agreement includes a provision, proposed by the Senate, which authorizes the Secretary of Education to grant up to six additional State education agencies authority to waive Federal statutory or regulatory requirements for fiscal year 1996 and succeeding fiscal years. The House bill contained no similar provision.

#### EDUCATION FOR THE DISADVANTAGED

The conference agreement includes \$7,228,116,000 for Education for the Disadvantaged of which \$1,298,386,000 becomes available on October 1, 1996 for academic year 1996-97. The House provided an appropriation of \$6,049,113,000 for this activity and a contingent appropriation of \$961,000,000 for a total funding level of \$7,010,113,000. The Senate amendment provided a fiscal year 1996 appropriation of \$6,513,511,000 and a fiscal year 1997 appropriation of \$814,489,000 for a total funding level of \$7,328,000,000. With respect to the fiscal year 1997 funding, it is the intent of the conferees to provide all funding for title I for the 1997-98 school year through the appropriation of fiscal year 1997 funds in the fiscal year 1997 Labor, Health and Human Services, and Education and Related Agencies bill. The conferees intend that the committee work to adjust the fiscal year 1997 602(b) allocations such that title I can be returned to a normal appropriations and obligation pattern.

The conference agreement provides that up to \$3,500,000 of title I funds be made available to the Secretary to obtain local-education-agency level census poverty data from the Bureau of the Census.

The agreement does not include provisions, included in the House bill, which would have overridden the provisions of title I regarding minimum State grants and language which would have eliminated a State option to reserve a portion of their title I funds for school improvement activities.

#### IMPACT AID

The conference agreement provides \$693,000,000 for the Impact Aid program, the same as the House bill and an increase of \$1,841,000 over the Senate amount of \$691,159,000. In combination with the \$35,000,000 provided for Impact Aid in P.L. 104-61, this appropriation provides a total of \$728,000,000 for Impact Aid in fiscal year 1996, the same amount provided by Congress in fiscal year 1995.

Within the total provided, the conference agreement includes \$581,707,000 for Basic Support Payments, \$1,304,000 less than the House bill amount of \$583,011,000 and \$537,000 above the Senate bill level of \$581,170,000. The agreement also includes \$16,293,000 for Payments for Federal Property, an increase of \$1,304,000 over both the House and Senate bill amounts of \$14,989,000.

The conference agreement modifies a provision proposed by the Senate (Section 306) regarding unobligated Impact Aid construction funds. The agreement provides that one-half of such unobligated funds shall be awarded for the construction of public ele-

mentary or secondary schools on Indian reservations, and that one-half of such funds shall be made available to school districts with military impact according to section 8007 of the Elementary and Secondary Education Act as amended.

#### SCHOOL IMPROVEMENT PROGRAMS

The conference agreement includes \$1,223,708,000 for School Improvement programs. The House bill provided \$946,227,000 for programs in this account. The Senate provided \$1,156,987,000 including \$208,000,000 in fiscal year 1997 appropriations.

The conferees specifically provide for the following activity included in the Senate report:

The funds provided for the Education of Native Hawaiians are allocated as follows:

Curricula Development, Teacher Training and Recruitment .....	\$1,500,000
Community-Based Education Learning Centers .....	800,000
Hawaiian Higher Education Programs .....	1,400,000
Gifted and Talented Program .....	1,200,000
Special Education Programs .....	1,200,000
Native Hawaiian Education Council and Island Councils .....	300,000
Family-Based Education Centers .....	5,600,000

The agreement provides \$465,981,000 for Safe and Drug Free Schools and Communities instead of the \$400,000,000 provided by both the House and Senate bills. This funding level, the same as in fiscal year 1995, provides for \$440,981,000 for State Grants and \$25,000,000 for National Programs.

#### BILINGUAL AND IMMIGRANT EDUCATION

The conference agreement provides \$178,000,000 for Bilingual and Immigrant Education instead of the \$150,000,000 provided in the House and Senate bills.

The conferees provided no funding for support services or professional development activities given their belief that funds should be focused on the education of students and the other funding sources available to the Secretary to fund these activities. However, if the Secretary feels that funding these activities within this account is justified, the two Committees will consider a reprogramming request for the Department.

#### SPECIAL EDUCATION

The conference agreement includes \$3,245,447,000 for special education programs, the same amount recommended by both the House and Senate bills.

The conferees have also modified a provision proposed by the Senate to enable the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau to be eligible to receive both formula and discretionary grants. The agreement also includes language proposed by the Senate that permits the Department of Education to distribute funding to the federal center and regional centers in proportion to the funding levels made available in the previous fiscal year.

The conferees agree that Centers for the Deaf under Post Secondary Education programs should be awarded on a competitive basis instead of continuing the four existing centers as proposed in the Senate report.

#### REHABILITATION SERVICES AND DISABILITY RESEARCH

The conference agreement includes \$2,456,120,000 for Rehabilitation Services and Disability Research instead of the \$2,452,620,000 proposed in both the House and Senate bills.

The conference agreement includes \$7,000,000 to support the Department of Education's portion of the fiscal year 1996 Paralympic Games through funding the Atlanta Paralympic Organizing Committee. The house bill included \$4,500,000 while the Senate bill contained no similar provision. The grantee shall provide such information as shall be required by the Department of Education, including a detailed statement of work and budget, and financial reports providing a breakout of the costs of the activities performed under the grant. The conferees have also provided funding for the Paralympic Games in the Department of Labor and in the Social Security Administration.

The conferees increased funding for this account by \$1,000,000 and direct the Department to use these funds to enable the two active regional head injury centers first funded in 1992 to continue serving as national resources to assist the States in improving the quality and cost effectiveness of services for victims of traumatic brain injury. The conferees direct the Rehabilitation Services Administration to work with the staffs of these regional centers to further develop plans of operation, including appropriate methods of organizing and coordinating State, private provider and victim support resources to improve the quality of traumatic brain injury services and for disseminating this information on a national basis. The centers are to work with the Department to present to the committees, by September 30, 1996, an evaluation plan of the present and planned services of the Centers and, upon approval, to implement the plan. In addition, the Department is instructed to work with the centers to develop a funding strategy that will eliminate the need for further federal funding for this national demonstration activity and to report to the Committees with such a plan by September 30, 1996.

#### VOCATIONAL AND ADULT EDUCATION

The conference agreement provides \$1,340,261,000 for Vocational and Adult Education. The House bill provided \$1,257,134,000 while the Senate bill included \$1,340,638,000. The conference agreement eliminates the requirement for the establishment of State vocational education councils as a condition of receiving funding under the Carl D. Perkins Vocational and Applied Technology Education Act.

While the conferees have eliminated funding for State councils, the conferees have no objection to States using a portion of their Vocational Education funds for State councils or human resource investment councils.

The conference agreement includes \$4,723,000 for prisoner literacy programs, instead of \$5,100,000 as proposed by the Senate. The House bill contained no similar provision.

#### STUDENT FINANCIAL ASSISTANCE

The conference agreement specifies appropriations for Student Financial Assistance in Titles I and III of the Act. In the aggregate, the agreement appropriates \$6,258,587,000, instead of \$6,643,246,000 as proposed by the House and \$6,165,290,000 together with \$90,000,000 in contingent funding as proposed by the Senate. The conference agreement sets the maximum Pell Grant at \$2,470, an increase of \$30 over the House passed maximum grant of \$2,440 and \$30 below the \$2,500 maximum grant in the Senate bill. The maximum grant of \$2,470 is the highest maximum grant ever provided.

In the aggregate, the agreement provides \$4,914,000,000 in new budget authority for the Pell Grant program. This amount combined with \$1,304,000,000 in funding which carries forward from previous years, makes available \$6,218,000,000 in budget authority for

Pell Grants in fiscal year 1996. The Senate bill included \$4,814,000,000 and the House bill included \$5,423,331,000.

The conference agreement places a cap of 3,650,000 on Pell Grant participants in the 1995-1996 school year, as proposed by the House instead of 3,634,000 as proposed by the Senate. This cap will not deny awards to any eligible students and has been imposed to reflect the actual number of students receiving grants and actual program costs.

The conference agreement provides \$93,297,000 for new contributions to institutional revolving loan funds, an increase of \$93,297,000 over the House bill which did not provide new capital contributions and a decrease of \$64,703,000 below the Senate bill level of \$158,000,000.

The conference agreement provides \$31,375,000 for State Student Incentive Grants, a decrease of \$32,000,000 below the Senate bill level of \$63,375,000. The House bill did not provide funding for this program. The conferees have provided this funding with the understanding that no new funding will be provided for the program in fiscal year 1997. The conferees reiterate that all States have participated in this program since 1978, a sufficient period of time to develop independent and self-sufficient State grant Programs. According to the Department of Education, the federal appropriation for State Student Incentive Grants represent less than 2.5% of total State student assistance. The conferees believe that States have operated this program with a combination of State and federal funds for several years, and the termination of federal support for this program should not result in the termination of substantial downsizing of continuing State grant programs.

#### HIGHER EDUCATION

The conference agreement provides \$836,964,000 for Higher Education programs, the same amount included in the House and Senate bills. The agreement includes a provision proposed by the Senate requiring the Department to award the same number of new Byrd Scholarships in fiscal year 1996 as were awarded in fiscal year 1995 and to prorate downward the amounts for new and continuing Byrd Scholarships to accommodate the awarding of new scholarships. The House bill did not include a similar provision.

#### HOWARD UNIVERSITY

The conference agreement provides \$182,348,000 for Howard University, an increase of \$7,677,000 over the amount provided in both the House and Senate bills. The agreement includes \$152,859,000 for the Academic program, \$7,677,000 more than the amount in the House and Senate bills, and \$29,489,000 for the University Hospital, the same amount provided in the House and Senate bills. The agreement also allows the University to use a part of its Academic program appropriation for the endowment at its discretion. The conferees direct that Howard notify the Congress of any transfer from the Academic program to the Endowment fund at least 15 days prior to execution of the transfer. The agreement does not provide funding for the research or construction programs.

#### EDUCATION RESEARCH, STATISTICS AND IMPROVEMENT

The conference agreement includes \$351,268,000 for Education Research, Statistics and Improvement. The House bill included an fiscal year 1996 appropriation of \$328,268,000 for this activity and a contingency appropriation of \$23,000,000 for a total funding level of \$338,268,000 through an fiscal year 1996 appropriation of \$328,268,000 and an fiscal year 1997 appropriation of \$10,000,000.

The agreement includes a provision proposed by the House that prohibits the use of

federal funds to fund the Goals 2000 Community Partnership program.

The Conference agreement earmarks \$3,000,000 within the Fund for the Improvement of Education as proposed by the Senate for programs such as those authorized by Part E of title III of the ESEA for equipment and materials necessary for hands-on instruction through assistance to State and local agencies.

With respect to the Regional Educational Laboratories the agreement includes \$51,000,000. The conferees note that the current laboratories' contracts have removed substantial funds from the programmatic control of the individual laboratories' governing boards and pulled the laboratories programs of work away from the needs of educators and policymakers in the ten individual laboratory regions. It is the intent of the conferees that no funds provided be used for any purpose other than work that is determined by the priorities of the regional governing board of each individual laboratory. All funds provided to the Regional Educational Laboratories shall be allocated according to each laboratory's percentage of the total amount that was provided to the ten regional educational laboratories by the Department of Education on December 11, 1995. Any special services requested by the Department of Education, other than the OERI National Educational Research Policy and Priorities Board for the purpose of aiding their oversight of federal education research and development program, shall be provided only if each Regional Educational Laboratory agrees that the priorities are consistent with its mission and the costs of such special services are reimbursed to each laboratory from the discretionary funds available to the Department. Further, the Conferees direct the Secretary to survey each regional educational laboratory to establish that all funds provided serve the priority R & D needs identified by the regional education board of each laboratory, document any resource allocation or work priority concerns reported by the laboratories and provide a report of all concerns to the House and Senate Appropriations Committees not later than January 31, 1997.

The agreement also includes a provision proposed by the Senate that extends star school partnership projects that received continuation grants in fiscal year 1996.

Due to the lateness in the fiscal year, conferees have provided that the funds provided for the International Education Exchange program should be used to continue current grantees.

The conferees have not provided funding for the extended time and learning program. The Senate bill had included \$2,000,000 for this purpose. The House bill contained no similar provision.

#### LIBRARIES

The conference agreement includes \$132,505,000 for library programs instead of \$131,505,000 as proposed by both the House and Senate bills.

Within the funds appropriated for library research and demonstration, the conferees have provided \$1,000,000 for the Survivors of the Shoah Visual History Foundation for a multi-media project to document Holocaust survivor testimony. The conferees acknowledge and support the mission of the U.S. Holocaust Memorial Council and the role the council plays in developing and coordinating programs relating to the Holocaust. The \$1,000,000 contained in this bill are to supplement the work of the council. These funds have been included for the Survivors of the Shoah Visual History Foundation project because of the extraordinary nature of the work and contribution of Mr. Steven

Spielberg. The conferees concur with the view that this direct grant will put the imprimatur of the U.S. government in a unique manner to repudiate any future claims that the Holocaust never occurred. Because of the special nature of this grant, the conferees do not view this as a precedent for future requests.

The conferees also have provided \$1,000,000 for the final phase of the portals demonstration project and, finally the conferees have provided \$1,000,000 for the National Museum of Women in the Arts for activities associated with the archiving of works by women artists.

#### GENERAL PROVISIONS

The conference agreement includes a general provision as proposed by the House that would prohibit the use of funds appropriated in the bill for opportunity to learn standards or strategies. The Senate had no similar provision.

The conference agreement includes language which reduces the fund available to the Secretary for the administration of the student loan programs, as provided under section 458 of the Higher Education Act. Section 458 provides mandatory spending for student loan administration in amounts which exceed what the Secretary needs for fiscal year 1996. By limiting the amount available to \$436,000,000, compared to the \$550,000,000 allowed by the Higher Education Act, the agreement achieves savings of \$114,000,000. To ensure appropriate scoring of this action by the Congressional Budget Office, the agreement also limits the authority in section 458 which would otherwise permit the Secretary to draw funds from fiscal year 1997 amounts into fiscal year 1996.

The agreement further provides that the Secretary will pay to guaranty agencies the administrative cost allowances owned such agencies for fiscal year 1995 in the amount currently estimated, \$95,000,000. The agreement also provides that the Secretary will calculate and pay administrative cost allowances for fiscal year 1996 at the rate of 0.85 percent of the total principal amount of loans upon which insurance was issued on or after October 1, 1995. The estimated amount of such payments is \$81,000,000.

The agreement prohibits the Secretary from requiring the return of reserve amounts held by guaranty agencies in fiscal year 1996 except after consultation with the House and Senate authorizing committees. Any such amounts returned must be deposited in the Treasury to help reduce the deficit.

No funds available to the Secretary may be used by the Secretary to pay administrative fees to institutions participating in the Federal Direct Student Loan Program.

The conference agreement restricts the authority of the Secretary to hire advertising agencies or other third parties to provide advertising services to the Department for any student loan program. The Committee does not intend this language to limit the ability of the Secretary to obtain outside assistance to develop and issue informational brochures or similar material for the programs that help students, guidance counselors, student aid administrators, or others, learn such things as how the programs work or their terms and conditions.

The conference agreement includes a general provision as proposed by the House modified to prohibit the use of funds appropriated in the bill for four specific boards and commissions currently funded by the Department of Education. The Senate had no similar provision.

#### (TRANSFER OF FUNDS)

The conference agreement includes a general provision as proposed by the House that would authorize the Department of Edu-

cation to transfer up to one percent of funds in any appropriation account to any other account in the Department, provided that the receiving account is not increased by more than three percent thereby and that the Appropriations Committees are notified at least 15 days in advance of any transfer. The Senate had no similar provision.

The conferees have agreed to include this transfer provision to give the Department more flexibility in managing its appropriations. However, the continuation of this provision in the future will depend on the Department's achieving and maintaining audited financial statements in accordance with the Chief Financial Officers Act of 1990 and Office of Management and Budget Bulletin No. 93-06.

#### TITLE IV—RELATED AGENCIES

##### CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

##### DOMESTIC VOLUNTEER SERVICE PROGRAMS OPERATING EXPENSES

The conference agreement appropriates \$198,393,000 for the Domestic Volunteer Service programs, an increase of \$2,123,000 over the House appropriation of \$196,270,000 and a decrease of \$2,901,000 below the Senate appropriation of \$201,294,000. The agreement provides \$41,385,000 for regular VISTA Operations. No funding is specifically provided for the VISTA Literacy program, however, the conferees agree that funds may be used to conduct literacy activities previously funded by the VISTA Literacy program.

##### FEDERAL MEDIATION AND CONCILIATION SERVICE

The agreement provides \$32,896,000 for the Federal Mediation and Conciliation Service, the same as the House bill and an increase of \$500,000 over the Senate bill.

##### NATIONAL LABOR RELATIONS BOARD

The agreement provides \$170,743,000 for the National Labor Relations Board, instead of \$167,245,000 provided in both the House and Senate bills. The agreement also deletes language proposed by the House concerning the issuance of section 10(j) injunctions. The agreement includes language to prohibit the agency from promulgating a final rule on the appropriateness of requested single location bargaining units in representation cases.

##### SOCIAL SECURITY ADMINISTRATION

##### SUPPLEMENTAL SECURITY INCOME PROGRAM

The agreement provides \$18,545,512,000 for the Supplemental Security Income program, a decrease of \$49,500,000 below the Senate bill and \$208,322,000 below the House bill. Of this amount, the managers have provided \$1,500,000 to support a demonstration project relating to the Paralympic Games. The grantee shall provide such information as shall be required by the Social Security Administration, including a detailed statement of the activities to be supported under the grant and the budget for each activity, and financial reports documenting how the funds were actually expended.

The agreement makes available an additional amount of \$15,000,000 for the processing of Continuing Disability Reviews (CDRs), which was not included in the House or Senate bills, subject to concomitant adjustment of the Subcommittee's 602(b) allocation as permitted by P.L. 104-121.

##### LIMITATION ON ADMINISTRATIVE EXPENSES

The agreement limits administrative expenditures to \$5,821,768,000 for the Social Security Administration, a decrease of \$23,415,000 below the Senate bill and \$88,500,000 below the House bill. The agreement includes bill language proposed by the Senate permitting the agency to retain any unobligated funds at the end of the fiscal year for its automation initiative.

The agreement also includes an additional limitation of \$60,000,000 for the processing of Continuing Disability Reviews (CDRs), which was not included in the House or Senate bills, subject to concomitant adjustment of the Subcommittee's 602(b) allocation as permitted by P.L. 104-121.

The conferees strongly urge that SSA work with an industry-based consortium dedicated to improving software productivity, and with experience institutionalizing software processes and methods; sufficient funds have been included in the conference agreement for this purpose.

##### RAILROAD RETIREMENT BOARD LIMITATION ON ADMINISTRATION

The agreement provides a limitation for administrative expenses of \$73,169,000 which may be derived from railroad retirement accounts. In combination with a limitation of \$16,786,000 from the railroad unemployment insurance administration fund, the agreement provides a total of \$89,955,000 for the administrative expenses of the Railroad Retirement Board, an increase of \$861,000 above the Senate bill and a decrease of \$861,000 below the House bill.

##### LIMITATION ON RAILROAD UNEMPLOYMENT INSURANCE ADMINISTRATION FUND

The agreement provides a limitation on administrative expenses of \$16,786,000 from moneys credited to the railroad unemployment insurance administration fund. Combined with a limitation of \$73,169,000 on administrative expenses derived from the railroad retirement accounts, the agreement provides \$89,955,000 for the administrative expenses of the Railroad Retirement Board, an increase of \$861,000 over the Senate bill and a decrease of \$861,000 below the House bill.

#### TITLE V—GENERAL PROVISIONS

The conference agreement deletes language contained in the House bill stating that States remain free not to fund abortions with Federal funds provided in the bill to the extent that the State deems appropriate, except where the life of the mother would be endangered if the fetus were carried to term. The Senate amendment contained no similar provision. The conference agreement includes, as did both the House bill and the Senate amendment, the language from previous years prohibiting Federal funding of abortion except in the cases of rape, incest and endangerment of the life of the mother.

The conference agreement modifies a provision proposed by the House and Senate bills to exclude from participation in the Pell Grant program institutions which are ruled to be ineligible to participate in a federal student loan program as a result of default rate determinations issued by the Secretary subsequent to February 14, 1996.

The conference agreement includes a general provision proposed by the Senate to limit expenditures on cash performance awards to no more than one percent of amounts appropriated for salaries for each agency funded in the bill. In addition, the provision reduces the amounts otherwise appropriated for salaries and expenses in the bill by \$30,500,000, to be allocated by the Office of Management and Budget, as proposed by the Senate. The House bill had no similar provision.

The conference agreement includes language contained in the Senate amendment which amends the Public Health Service Act to prohibit the Federal government and State and local entities who receive Federal financial assistance from discriminating against entities which refuse to provide or refer for provision of abortions or training to perform abortions. The provision requires the Federal government and State and local entities to deem an entity accredited that

would be accredited except for accreditation requirements pertaining to the provision of abortions and abortion training. The House bill contained a similar provision.

The conference agreement includes language contained in the House bill which modifies the Medicare certification survey schedule for home health agencies to permit States greater flexibility to target resources on problem agencies in order to free up funds for certification of new facilities. The agreement also contains language not contained in the House bill that would permit expanded use by Medicare providers of private accreditation by national bodies for initial certifications and recertifications for those national bodies that can demonstrate that their accreditation assures compliance with all Medicare requirements. This "deeming" provision would not apply to renal dialysis facilities and durable medical equipment suppliers. There is no intent to change current law or current policy with respect to the deeming of skilled nursing facilities. The agreement also includes language not included in the House bill requiring the Secretary of Health and Human Services to conduct a study of and to report on the effectiveness and appropriateness of the current mechanisms for surveying and certifying skilled nursing facilities and renal dialysis facilities. The Senate amendment contained no similar provision.

The conferees are concerned that quality of care not decline for the large and growing number of Medicare beneficiaries receiving home health services. All agencies should be surveyed at reasonable intervals with no more than a 15 month schedule for those agencies with poor prior performance. If there is a change in ownership, surveys shall occur no less frequently than on a 15 month schedule. Within one year of enactment of this legislation the conferees direct HCFA to report to Congress on the status of imple-

mentation of this policy and the impact on quality of care for beneficiaries. In particular, the report shall contain data supporting HCFA's contention that quality of care will improve if resources are targeted on problem agencies.

The conferees expect that the study and report required in this provision will include careful analysis of the adequacy of current nursing facility accreditation standards. Attention should be given to the cost effectiveness of expanding the use of voluntary private accreditation, and whether it is a tool for quality enhancement and as a mean to enable government agencies to focus federal attention more directly on those nursing facilities which need increased oversight. The study should also review the information of accrediting bodies to determine whether it might assist HCFA to access data needed to monitor the performance of nursing facilities. The study should evaluate State-level changes in standards for accreditation of nursing facilities to determine the extent to which they have strengthened the safety net that is vital to assure a baseline of quality and consumer protection. Finally, the conferees are interested in innovative regulatory and nonregulatory incentives for all nursing facilities to continually improve the quality of services provided to Medicare and Medicaid patients. Therefore, the Secretary should include in the report whether such incentives would encourage and reward optimal performance with particular emphasis on improved patient outcomes.

The conference agreement includes language in the Senate amendment requiring the Secretary of Health and Human Services to grant a waiver under the Medicaid program to Charter Health Plan, Inc. of the District of Columbia of the requirement that no more than 75 percent of a managed care provider's enrollment may be Medicaid patients. The House bill had no similar provision.

The conference agreement includes language requiring the Secretary of Health and Human Services to compile data on the number of females in the U.S. who have been subjected to female genital mutilation, to conduct outreach to communities that practice female genital mutilation, and to develop curriculum recommendations for medical schools regarding the practice. The Senate amendment contained a similar provision, but also established criminal penalties for those who performed the procedure on minors. The House bill had no similar provisions.

#### TITLE VI—ADDITIONAL APPROPRIATIONS

The conference agreement includes title VI of the bill proposed by the House modified to exclude Social Security Administration funding for continuing disability reviews. The House bill established a separate title VI which provided partial appropriations for three different appropriation accounts. It included \$396,000,000 for HCFA Program Management for payment safeguard activities, \$43,000,000 for the HHS IG for Medicare-related activities and \$111,000,000 for the Social Security Administration administrative account for continuing disability reviews. These amounts, when combined with the amounts appropriated for these activities in the regular titles of the bill, provided full-year appropriations. Under the language in title VI, if a subsequent appropriation is enacted in another bill for FY 1996 for these activities, then the amount appropriated in title VI would be canceled. The Senate had no similar provision.

#### CONFERENCE AGREEMENT

The following table displays the amounts agreed to for each program, project or activity with appropriate comparisons:

## SUMMARY

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate Disc
-----								
Title I - Department of Labor:								
Federal Funds.....	8,439,273	9,631,811	6,859,491	8,103,856	7,981,724	-457,549	+1,122,233	-122,132
Trust Funds.....	(3,501,398)	(3,629,347)	(3,380,873)	(3,380,873)	(3,380,183)	(-121,215)	(-690)	(-690)
Title II - Department of Health and Human Services:								
Federal Funds.....	179,546,934	200,475,428	197,456,742	198,099,790	197,433,251	+17,886,317	-23,491	-666,539
Current year.....	(147,099,217)	(168,200,874)	(166,501,392)	(166,144,440)	(166,477,901)	(+19,378,684)	(-23,491)	(+333,461)
1997 advance.....	(32,447,717)	(32,274,554)	(30,955,350)	(31,955,350)	(30,955,350)	(-1,492,367)	---	(-1,000,000)
Trust Funds.....	(2,235,285)	(2,291,444)	(2,158,375)	(2,142,018)	(2,161,422)	(-73,863)	(+3,047)	(+19,404)
Title III - Department of Education:								
Federal Funds.....	26,800,310	28,220,106	23,579,040	25,213,394	25,232,169	-1,568,141	+1,653,129	+18,775
Title IV - Related Agencies:								
Federal Funds.....	30,027,988	29,857,742	29,668,628	29,514,330	29,480,927	-547,061	-187,701	-33,403
Current year.....	(22,527,988)	(20,131,342)	(19,988,628)	(19,834,330)	(19,800,927)	(-2,727,061)	(-187,701)	(-33,403)
1997 advance.....	(7,240,000)	(9,430,000)	(9,430,000)	(9,430,000)	(9,430,000)	(+2,190,000)	---	---
1998 advance.....	(260,000)	(296,400)	(250,000)	(250,000)	(250,000)	(-10,000)	---	---
Trust Funds.....	(5,660,113)	(6,338,470)	(6,034,682)	(5,967,875)	(6,005,321)	(+345,208)	(-29,361)	(+37,446)
Title V - 1% Cap on performance awards.....	---	---	---	-30,500	-30,500	-30,500	-30,500	---
Total, all titles:								
Federal Funds.....	244,814,505	268,185,087	257,563,901	260,900,870	260,097,571	+15,283,066	+2,533,670	-803,299
Current year.....	(204,866,788)	(226,184,133)	(216,928,551)	(219,265,520)	(219,462,221)	(+14,595,433)	(+2,533,670)	(+196,701)
1997 advance.....	(39,687,717)	(41,704,554)	(40,385,350)	(41,385,350)	(40,385,350)	(+697,633)	---	(-1,000,000)
1998 advance.....	(260,000)	(296,400)	(250,000)	(250,000)	(250,000)	(-10,000)	---	---
Trust Funds.....	(11,396,796)	(12,259,261)	(11,573,930)	(11,490,766)	(11,546,926)	(+150,130)	(-27,004)	(+56,160)

NOTE: Appropriations for the Centers for Disease Control and the National Institutes of Health were enacted in P.L. 104-91 and are not included in H.R. 3019. Appropriations for these accounts are displayed in this table for descriptive purposes only.



1/ FY95 comparable reflects level before rescission of advance funding. FY96 amounts reflect level after rescissions.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
Retirement fraud.....	-410	---	---	---	---	+410	---	---	77750
Direct loan State fee.....	---	---	---	-15,000	---	---	---	+15,000	77757
HEAL loan limitation.....	---	---	-6,983	-6,983	-6,983	-6,983	---	---	77770
Direct loan administration limitation.....	---	---	-118,000	-90,000	-114,000	-114,000	+4,000	-24,000	77775
JOBS rescission 1/.....	---	---	---	-10,000	-10,000	-10,000	-10,000	---	77776
Direct loan 40% cap.....	---	---	-55,000	---	---	---	+55,000	---	77777
Dept of Labor working capital fund.....	---	---	3,900	3,900	3,900	+3,900	---	---	77780
Advances to the ESA account of the Unempl TF..	---	---	-56,300	-56,300	-56,300	-56,300	---	---	77785
Payments to UI trust fund & other funds.....	---	---	-250,000	-266,000	-266,000	-266,000	-16,000	---	77787
Adjustment for leg cap on Title XX SSBGs 2/...	---	---	-280,000	-490,000	-419,000	-419,000	-139,000	+71,000	77790
Medicaid psychiatric hospitals.....	---	---	---	50,000	50,000	+50,000	+50,000	---	77795
* Total, discretionary, current year 3/....	67,152,944	72,132,095	61,963,000	64,372,390	64,576,137	-2,576,807	+2,613,137	+203,747	
* Crime trust fund.....	11,000	175,400	53,000	53,000	53,000	+42,000	---	---	
* General purposes.....	67,141,944	71,956,695	61,910,000	64,319,390	64,523,137	-2,618,807	+2,613,137	+203,747	
Grand total, current year.....	250,407,544	273,075,526	262,914,966	265,325,856	265,533,103	+15,125,559	+2,618,137	+207,247	

1/ Senate and Conference action taken in Title III, Chapter IV of H.R. 3019.

2/ CBO scores Senate at -\$420,000,000 due to bill drafting error.

3/ Conference includes \$1,298,386,000 that is delayed availability until October 1, 1996.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
DISTRIBUTION OF BILL TOTALS BY AGENCY									
(BUDGET ENFORCEMENT ACT SCOREKEEPING)									
Title I - Department of Labor.....	8,439,273	9,631,811	6,859,491	8,103,856	7,981,724	-457,549	+1,122,233	-122,132	
Trust funds considered budget authority.....	3,488,878	3,615,635	3,369,292	3,369,292	3,368,573	-120,305	-719	-719	
Total.....	11,928,151	13,247,446	10,228,783	11,473,148	11,350,297	-577,854	+1,121,514	-122,851	
Mandatory.....	2,511,942	1,931,936	1,930,619	1,930,619	1,930,619	-581,323	---	---	
Discretionary.....	5,927,331	7,699,875	4,928,872	6,173,237	6,051,105	+123,774	+1,122,233	-122,132	
Trust funds considered budget authority.....	3,488,878	3,615,635	3,369,292	3,369,292	3,368,573	-120,305	-719	-719	
Black lung benefit cola.....	9,000	---	---	---	---	-9,000	---	---	79650
Retirement fraud.....	-410	---	---	---	---	+410	---	---	79700
Dept of Labor working capital fund.....	---	---	3,900	3,900	3,900	+3,900	---	---	79710
Subtotal, discretionary.....	9,424,799	11,315,510	8,302,064	9,546,429	9,423,578	-1,221	+1,121,514	-122,851	
Total, 602(b) scorekeeping.....	11,936,741	13,247,446	10,232,683	11,477,048	11,354,197	-582,544	+1,121,514	-122,851	

	FY 1995 Comparable	FY 1996 Request	House		Senate		Conference	Conference vs		Mand Disc
			House	Senate	FY 1995	House				
Title II - Dept of Health & Human Services (incl resc)	147,099,217	168,200,874	166,501,392	166,144,440	166,477,901	166,477,901	+19,378,684	-23,491	+333,461	
Prior year advances.....	32,274,998	32,447,717	32,447,717	32,447,717	32,447,717	32,447,717	+172,719	---	---	80150
Trust funds considered budget authority.....	2,215,808	2,291,444	2,158,375	2,142,018	2,161,422	2,161,422	-54,386	+3,047	+19,404	
Total.....	181,590,023	202,940,035	201,107,484	200,734,175	201,087,040	201,087,040	+19,497,017	-20,444	+352,865	
Mandatory.....	121,238,448	140,717,194	140,447,046	140,237,046	140,308,046	140,308,046	+19,069,598	-139,000	+71,000	
Prior year advances.....	30,800,000	31,447,717	31,447,717	31,447,717	31,447,717	31,447,717	+647,717	---	---	80550
Adjustment for leg cap on Title XX SSBGs.....	---	---	280,000	490,000	419,000	419,000	+419,000	+139,000	-71,000	80560
Subtotal, mandatory.....	152,038,448	172,164,911	172,174,763	172,174,763	172,174,763	172,174,763	+20,136,315	---	---	
Discretionary.....	26,860,769	28,802,884	26,054,346	26,907,394	26,169,855	26,169,855	-690,914	+115,509	-737,539	
Less advances for subsequent years.....	-1,000,000	-1,319,204	---	-1,000,000	---	---	+1,000,000	---	+1,000,000	
Prior year advances 1/.....	1,474,998	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	-474,998	---	---	81000
Trust funds considered budget authority.....	2,215,808	2,291,444	2,158,375	2,142,018	2,161,422	2,161,422	-54,386	+3,047	+19,404	
Emergency funding.....	-35,000	---	---	---	---	---	+35,000	---	---	81100
Black lung benefit cola.....	3,900	---	---	---	---	---	-3,900	---	---	81150
HEAL loan limitation.....	---	---	-6,983	-6,983	-6,983	-6,983	-6,983	---	---	81180
Adjustment for leg cap on Title XX SSBGs 2/..	---	---	-280,000	-490,000	-419,000	-419,000	-419,000	-139,000	+71,000	81190
Subtotal, discretionary.....	29,520,475	30,775,124	28,925,738	28,552,429	28,905,294	28,905,294	-615,181	-20,444	+352,865	
Total, 602(b) scorekeeping.....	181,558,923	202,940,035	201,100,501	200,727,192	201,080,057	201,080,057	+19,521,134	-20,444	+352,865	

1/ FY95 comparable reflects level before rescission of advance funding. FY96 amounts reflect level after rescission.

2/ CEO scores Senate at -\$420,000,000 due to bill drafting error.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
Title III - Department of Education.....	26,800,310	28,220,106	23,579,040	25,213,394	25,232,169	-1,568,141	+1,653,129	+18,775	
Mandatory.....	2,354,103	2,416,511	2,416,511	2,416,511	2,420,011	+65,908	+3,500	+3,500	
Discretionary.....	24,446,207	25,803,595	21,162,529	22,796,883	22,812,158	-1,634,049	+1,649,629	+15,275	
Subtotal, discretionary 2/.....	24,446,207	25,803,595	21,162,529	22,796,883	22,812,158	-1,634,049	+1,649,629	+15,275	
Total, 602(b) scorekeeping.....	26,800,310	28,220,106	23,579,040	25,213,394	25,232,169	-1,568,141	+1,653,129	+18,775	
Title IV - Related Agencies (incl rescissions).....	22,527,988	20,131,342	19,988,628	19,834,330	19,800,927	-2,727,061	-187,701	-33,403	
Prior year advances.....	7,252,640	7,515,000	7,515,000	7,515,000	7,515,000	+262,360	---	---	82450
Trust funds considered budget authority.....	847,734	1,021,597	978,414	976,692	977,553	+129,819	-861	+861	
Total.....	30,628,362	28,667,939	28,482,042	28,326,022	28,293,480	-2,334,882	-188,562	-32,542	
Mandatory.....	19,390,107	17,190,073	17,190,073	17,191,573	17,191,573	-2,198,534	+1,500	---	
Prior year advances.....	6,960,000	7,240,000	7,240,000	7,240,000	7,240,000	+280,000	---	---	82750
Subtotal, mandatory.....	26,350,107	24,430,073	24,430,073	24,431,573	24,431,573	-1,918,534	+1,500	---	
Discretionary.....	3,137,881	2,941,269	2,798,555	2,642,757	2,609,354	-528,527	-189,201	-33,403	
Prior year advances 1/.....	292,640	275,000	275,000	275,000	275,000	-17,640	---	---	83000
Trust funds considered budget authority.....	847,734	1,021,597	978,414	976,692	977,553	+129,819	-861	+861	
Subtotal, discretionary.....	4,278,255	4,237,866	4,051,969	3,894,449	3,861,907	-416,348	-190,062	-32,542	
Total, 602(b) scorekeeping.....	30,628,362	28,667,939	28,482,042	28,326,022	28,293,480	-2,334,882	-188,562	-32,542	
Title V - 1% Cap on performance awards.....	---	---	---	-30,500	-30,500	-30,500	-30,500	---	

1/ Refer to footnote previous page.

2/ Conference includes \$1,298,386,000 that is delayed availability until October 1, 1996.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
<b>Scorekeeping adjustments:</b>									
Adjustment to balance with FY95 bill.....	-371,792	---	---	---	---	+371,792	---	---	83350
Youth training rescission (FY 1994).....	-50,000	---	---	---	---	+50,000	---	---	83370
Pell grants, rescission of FY94 funds.....	-35,000	---	---	---	---	+35,000	---	---	83375
NIH buildings & facilities resc (FY 1994).....	-60,000	---	---	---	---	+60,000	---	---	83380
Direct loan State fee.....	---	---	---	-15,000	---	---	---	+15,000	83382
Direct loan administration limitation.....	---	---	-118,000	-90,000	-114,000	-114,000	+4,000	-24,000	83385
Medicaid psychiatric hospitals.....	---	---	---	50,000	50,000	+50,000	---	---	83387
Direct loan 40% cap.....	---	---	-55,000	---	---	---	+55,000	---	83390
JOBS rescission.....	---	---	---	-10,000	-10,000	-10,000	-10,000	---	83392
Advances to the ESA account of the Unempl TF..	---	---	-56,300	-56,300	-56,300	-56,300	---	---	83394
Payments to UI trust fund & other funds.....	---	---	-250,000	-266,000	-266,000	-266,000	-16,000	---	83396
<b>Total, current year, all titles.....</b>	<b>250,407,544</b>	<b>273,075,526</b>	<b>262,914,966</b>	<b>265,325,856</b>	<b>265,533,103</b>	<b>+15,125,559</b>	<b>+2,618,137</b>	<b>+207,247</b>	
<b>Mandatory.....</b>	<b>145,494,600</b>	<b>162,255,714</b>	<b>162,264,249</b>	<b>162,265,749</b>	<b>162,269,249</b>	<b>+16,774,649</b>	<b>+5,000</b>	<b>+3,500</b>	
Prior year advances.....	37,760,000	38,687,717	38,687,717	38,687,717	38,687,717	+927,717	---	---	
<b>Subtotal, mandatory, current year.....</b>	<b>183,254,600</b>	<b>200,943,431</b>	<b>200,951,966</b>	<b>200,953,466</b>	<b>200,956,966</b>	<b>+17,702,366</b>	<b>+5,000</b>	<b>+3,500</b>	
<b>Discretionary.....</b>	<b>58,832,886</b>	<b>63,928,419</b>	<b>54,181,919</b>	<b>56,609,388</b>	<b>56,793,589</b>	<b>-2,039,297</b>	<b>+2,611,670</b>	<b>+184,201</b>	
Prior year advances 1/.....	1,767,638	1,275,000	1,275,000	1,275,000	1,275,000	-492,638	---	---	
Trust funds considered budget authority.....	6,552,420	6,928,676	6,506,081	6,488,002	6,507,548	-44,872	+1,467	+19,546	
<b>Subtotal, discretionary current year.....</b>	<b>67,152,944</b>	<b>72,132,095</b>	<b>61,963,000</b>	<b>64,372,390</b>	<b>64,576,137</b>	<b>-2,576,807</b>	<b>+2,613,137</b>	<b>+203,747</b>	

1/ Refer to footnote previous page.



	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
TITLE I - DEPARTMENT OF LABOR									
EMPLOYMENT AND TRAINING ADMINISTRATION									
TRAINING AND EMPLOYMENT SERVICES 1/									
Grants to States:									
Adult training.....	996,813	1,054,813	745,700	900,000	850,000	-146,813	+104,300	-50,000	D 1100
Youth training.....	126,672	288,979	126,672	126,672	126,672	---	---	---	D 1150
Summer youth employment and training program:									
Forward funding.....	184,788	958,540	---	---	---	-184,788	---	---	D 1250
Current funding.....	---	---	---	635,000	625,000	+625,000	+625,000	-10,000	D 1260
(Summer of 1995) (non-add).....	(184,788)	---	---	---	---	(-184,788)	---	---	NA 1300
Dislocated worker assistance:									
Forward funding.....	1,228,550	1,396,000	867,000	1,200,000	1,097,500	-131,050	+230,500	-102,500	D 1350
Current funding.....	---	---	---	---	2,500	+2,500	+2,500	+2,500	D 1360
Proposed leg: Dislocated workers (non-add).....	---	(660,000)	---	---	---	---	---	---	NA 1370
Proposed leg: Adult Training (non-add) transfer to Department of Education (Adult Literacy).....	---	(-84,161)	---	---	---	---	---	---	NA 1385
Proposed leg: Skill Grants (Pell xfer) (non-add):	(1,827,102)	(2,129,366)	---	---	---	(-1,827,102)	---	---	NA 1400
Subtotal.....	1,228,550	1,396,000	867,000	1,200,000	1,100,000	-128,550	+233,000	-100,000	
Federally administered programs:									
Native Americans.....	59,787	61,871	52,502	52,502	52,502	-7,285	---	---	D 1500
Migrants and seasonal farmworkers.....	79,967	78,303	69,285	69,285	69,285	-10,682	---	---	D 1550

1/ Forward funded except where noted.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
Job Corps:									
Operations.....	957,193	1,029,632	972,475	972,475	972,475	+15,282	---	---	D 1650
Construction and renovation.....	132,029	198,082	121,467	121,467	121,467	-10,562	---	---	D 1800
Subtotal, Job Corps.....	1,089,222	1,227,714	1,093,942	1,093,942	1,093,942	+4,720	---	---	
Youth Fair Chance.....	---	49,785	---	---	---	---	---	---	D 1900
Veterans' employment.....	8,880	8,880	7,300	7,300	7,300	-1,580	---	---	D 1950
National activities:									
Pilots and demonstrations.....	33,186	35,522	27,140	27,140	27,140	-6,046	---	---	D 2150
Research, demonstration and evaluation.....	9,196	12,596	6,196	6,196	6,196	-3,000	---	---	D 2200
Other.....	10,989	73,584	13,489	13,489	13,489	+2,500	---	---	D 2250
Subtotal, National activities.....	53,371	121,702	46,825	46,825	46,825	-6,546	---	---	
Subtotal, Federal activities.....	1,291,227	1,548,255	1,269,854	1,269,854	1,269,854	-21,373	---	---	
Total, Job Training Partnership Act.....	3,828,050	5,246,587	3,009,226	4,131,526	3,971,526	+143,476	+962,300	-160,000	
Veterans homeless program 1/.....	---	5,011	---	---	---	---	---	---	D 2450
Glass Ceiling Commission 1/.....	738	142	142	142	142	-596	---	---	D 2500
Women in apprenticeship 1/.....	744	744	610	610	610	-134	---	---	D 2550
National Center for the Workplace 1/ 2/.....	---	---	---	---	---	---	---	---	D 2600
Skills Standards.....	4,500	12,000	4,000	4,000	4,000	-500	---	---	D 2650
Total, National activities, TES (non-add).....	(59,353)	(139,599)	(51,577)	(51,577)	(51,577)	(-7,776)	---	---	
School-to-work.....	122,500	200,000	95,000	186,000	170,000	+47,500	+75,000	-16,000	D 2700
Total, Training and Employment Services.....	3,956,532	5,464,484	3,108,978	4,322,278	4,146,278	+189,746	+1,037,300	-176,000	
Subtotal, forward funded.....	(3,955,050)	(5,458,587)	(3,108,226)	(3,686,526)	(3,518,026)	(-437,024)	(+409,800)	(-168,500)	

1/ Current funded.

2/ FY 1995 funding for this program was rescinded in P.L. 104-19.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS.....	396,060	410,500	350,000	350,000	373,000	-23,060	+23,000	+23,000	D 3305
FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES									
Trade adjustment.....	274,400	279,600	279,600	279,600	279,600	+5,200	---	---	M 3450
NAFTA activities.....	---	66,500	66,500	66,500	66,500	+66,500	---	---	M 3500
Total.....	274,400	346,100	346,100	346,100	346,100	+71,700	---	---	
STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS									
Unemployment Compensation (Trust Funds):									
State Operations.....	(1,756,626)	(2,206,136)	(2,080,520)	(2,080,520)	(2,080,520)	(+323,894)	---	---	TF* 3750
State integrity activities.....	(367,169)	---	---	---	---	(-367,169)	---	---	TF* 3850
National Activities.....	(17,328)	(17,824)	(10,000)	(10,000)	(10,000)	(-7,328)	---	---	TF* 3900
Contingency.....	(172,137)	(245,983)	(216,333)	(216,333)	(216,333)	(+44,196)	---	---	TF* 3950
Contingency bill language (OMB estimate).....	(67,900)	---	---	---	---	(-67,900)	---	---	NA 4000
Portion treated as budget authority.....	(812)	---	---	---	---	(-812)	---	---	TF* 4050
Subtotal, Unemployment Comp (trust funds)...	(2,314,072)	(2,469,943)	(2,306,853)	(2,306,853)	(2,306,853)	(-7,219)	---	---	

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
Employment Service:									
Allotments to States:									
Federal funds.....	25,254	24,177	23,452	23,452	23,452	-1,802	---	---	D 4250
Trust funds.....	(813,658)	(781,735)	(738,283)	(738,283)	(738,283)	(-75,375)	---	---	TF* 4300
Subtotal.....	838,912	805,912	761,735	761,735	761,735	-77,177	---	---	
National Activities:									
Federal funds.....	1,934	1,934	1,876	1,876	1,876	-58	---	---	D 4450
Trust funds.....	(64,194)	(64,194)	(59,058)	(59,058)	(57,058)	(-7,136)	(-2,000)	(-2,000)	TF* 4500
Targeted jobs tax credit.....	(10,250)	---	---	---	---	(-10,250)	---	---	TF* 4550
Subtotal, Emp. Serv., National Activities.....	76,378	66,128	60,934	60,934	58,934	-17,444	-2,000	-2,000	
Subtotal, Employment Service.....	915,290	872,040	822,669	822,669	820,669	-94,621	-2,000	-2,000	
Federal funds.....	27,188	26,111	25,328	25,328	25,328	-1,860	---	---	
Trust funds.....	(888,102)	(845,929)	(797,341)	(797,341)	(795,341)	(-92,761)	(-2,000)	(-2,000)	
One-stop Career Centers.....	100,000	200,000	92,000	110,000	110,000	+10,000	+18,000	---	D 4775
Total, State Unemployment.....	3,329,362	3,541,983	3,221,522	3,239,522	3,237,522	-91,840	+16,000	-2,000	
Federal Funds.....	127,188	226,111	117,328	135,328	135,328	+8,140	+18,000	---	
Trust Funds.....	(3,202,174)	(3,315,872)	(3,104,194)	(3,104,194)	(3,102,194)	(-99,980)	(-2,000)	(-2,000)	
ADVANCES TO UNEMPLOYMENT TRUST FUND AND OTHER FUNDS...	1,004,485	369,000	369,000	369,000	369,000	-635,485	---	---	M 4950
ADVANCES TO THE ESA ACCOUNT OF THE UNEMPLOYMENT TRUST FUND.....	---	---	(-56,300)	(-56,300)	(-56,300)	(-56,300)	---	---	NA 4956
PAYMENTS TO UI TRUST FUND AND OTHER FUNDS.....	---	---	(-250,000)	(-266,000)	(-266,000)	(-266,000)	(-16,000)	---	NA 4958

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
PROGRAM ADMINISTRATION									
Adult employment and training.....	27,754	31,144	25,619	25,619	25,619	-2,135	---	---	D 5000
Trust funds.....	(2,467)	(2,637)	(2,283)	(2,283)	(2,283)	(-184)	---	---	TF* 5010
Youth employment and training.....	31,815	35,170	29,441	29,441	29,441	-2,374	---	---	D 5020
Employment security.....	6,584	3,913	6,057	6,057	6,057	-527	---	---	D 5030
Trust funds.....	(40,271)	(47,378)	(37,167)	(37,167)	(37,167)	(-3,104)	---	---	TF* 5040
Apprenticeship services.....	17,460	18,681	16,129	16,129	16,129	-1,331	---	---	D 5050
Executive direction.....	6,306	6,605	5,808	5,808	5,808	-498	---	---	D 5060
Trust funds.....	(1,414)	(1,887)	(1,343)	(1,343)	(1,343)	(-71)	---	---	TF* 5070
Total, Program Administration.....	134,071	147,415	123,847	123,847	123,847	-10,224	---	---	
Federal funds.....	89,919	95,513	83,054	83,054	83,054	-6,865	---	---	
Trust funds.....	(44,152)	(51,902)	(40,793)	(40,793)	(40,793)	(-3,359)	---	---	
Total, Employment & Training Administration.....	9,094,910	10,279,482	7,519,447	8,750,747	8,595,747	-499,163	+1,076,300	-155,000	
Federal funds.....	5,848,584	6,911,708	4,374,460	5,605,760	5,452,760	-395,824	+1,078,300	-153,000	
Trust funds.....	(3,246,326)	(3,367,774)	(3,144,987)	(3,144,987)	(3,142,987)	(-103,339)	(-2,000)	(-2,000)	

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
OFFICE OF THE AMERICAN WORKPLACE									
SALARIES AND EXPENSES									
Office of the Workplace Programs.....	7,082	10,770	---	---	---	-7,082	---	---	D 5750
PENSION AND WELFARE BENEFITS ADMINISTRATION									
SALARIES AND EXPENSES									
Enforcement and compliance.....	53,492	65,163	50,750	50,750	52,083	-1,409	+1,333	+1,333	D 6000
Policy, regulation and public service.....	12,054	12,412	11,242	11,242	11,831	-223	+589	+589	D 6050
Program oversight.....	3,385	3,607	3,206	3,206	3,583	+198	+377	+377	D 6100
Total, PWBA.....	68,931	81,182	65,198	65,198	67,497	-1,434	+2,299	+2,299	
PENSION BENEFIT GUARANTY CORPORATION									
Program Administration subject to limitation (Trust Funds).....	(11,463)	(12,043)	(10,603)	(10,603)	(10,603)	(-860)	---	---	TF 6350
Services related to terminations not subject to limitations (non-add).....	(126,032)	(128,496)	(128,496)	(128,496)	(128,496)	(+2,464)	---	---	NA 6450
Total, PBGC.....	(137,495)	(140,539)	(139,099)	(139,099)	(139,099)	(+1,604)	---	---	



EMPLOYMENT STANDARDS ADMINISTRATION											
SALARIES AND EXPENSES											
	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs			Mand Disc	
								House	Senate		
Enforcement of wage and hour standards.....	100,725	116,943	94,169	94,169	100,196	-529	+6,027	+6,027	+6,027	D	
Office of Labor-Management Standards.....	23,997	31,075	23,097	23,097	24,192	+195	+1,095	+1,095	+1,095	D	
Federal contractor EEO standards enforcement.....	58,725	63,831	55,245	55,245	56,851	-1,874	+1,606	+1,606	+1,606	D	
Federal programs for workers' compensation.....	76,403	82,937	71,648	71,648	73,736	-2,667	+2,088	+2,088	+2,088	D	
Trust funds.....	(1,057)	(1,669)	(978)	(978)	(1,007)	(-50)	(+29)	(+29)	(+29)	TF	
Program direction and support.....	11,490	11,690	10,597	10,597	10,662	-828	+65	+65	+65	D	
Total, salaries and expenses.....	272,397	308,145	255,734	255,734	266,644	-5,753	+10,910	+10,910	+10,910		
Federal funds.....	271,340	306,476	254,756	254,756	265,637	-5,703	+10,881	+10,881	+10,881		
Trust funds.....	(1,057)	(1,669)	(978)	(978)	(1,007)	(-50)	(+29)	(+29)	(+29)		
SPECIAL BENEFITS											
Federal employees compensation benefits.....	254,000	214,000	214,000	214,000	214,000	-40,000	---	---	---	M	
Longshore and harbor workers' benefits.....	4,000	4,000	4,000	4,000	4,000	---	---	---	---	M	
Total, Special Benefits.....	258,000	218,000	218,000	218,000	218,000	-40,000	---	---	---		

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs FY 1995	Senate	Mand Disc
BLACK LUNG DISABILITY TRUST FUND									
Benefit payments and interest on advances.....	923,005	949,494	949,494	949,494	949,494	+26,489	---	---	M 7400
Employment Standards Admin., salaries & expenses.....	27,799	28,655	27,350	27,350	27,350	-449	---	---	M 7450
Departmental Management, salaries and expenses.....	23,188	19,621	19,621	19,621	19,621	-3,567	---	---	M 7500
Departmental Management, inspector general.....	309	310	298	298	298	-11	---	---	M 7550
Subtotal, Black Lung Disability Trust Fund, apprn	974,301	998,080	996,763	996,763	996,763	+22,462	---	---	
Treasury administrative costs (indefinite).....	756	756	756	756	756	---	---	---	M 7650
Total, Black Lung Disability Trust Fund.....	975,057	998,836	997,519	997,519	997,519	+22,462	---	---	
Total, Employment Standards Administration.....	1,505,454	1,524,981	1,471,253	1,471,253	1,482,163	-23,291	+10,910	+10,910	
Federal funds.....	1,504,397	1,523,312	1,470,275	1,470,275	1,481,156	-23,275	+10,881	+10,881	
Trust funds.....	(1,057)	(1,669)	(978)	(978)	(1,007)	(-50)	(+29)	(+29)	
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION									
SALARIES AND EXPENSES									
Safety and health standards.....	8,906	9,471	8,354	8,000	8,499	-407	+145	+499	D 8050
Enforcement:									
Federal Enforcement.....	145,289	155,854	114,015	116,230	121,320	-23,969	+7,305	+5,090	D 8150
State programs.....	70,615	75,915	65,319	70,615	68,295	-2,320	+2,976	-2,320	D 8200
Technical Support.....	18,883	21,668	17,467	16,394	18,002	-881	+535	+1,608	D 8250
Compliance Assistance.....	44,974	55,332	---	---	---	-44,974	---	---	D 8300
Federal Assistance.....	---	---	18,248	24,858	35,129	+35,129	+16,881	+10,271	D 8310
State Consultation Grants.....	---	---	35,353	32,479	32,479	+32,479	-2,874	---	D 8320
Safety and health statistics.....	15,730	20,669	14,707	14,257	14,515	-1,215	-192	+258	D 8350
Executive direction and administration.....	7,263	7,594	6,537	6,152	6,745	-518	+208	+593	D 8400
Total, OSHA.....	311,660	346,503	280,000	286,985	304,984	-6,676	+24,984	+15,999	

MINE SAFETY AND HEALTH ADMINISTRATION									
	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
SALARIES AND EXPENSES									
Enforcement:									
Coal.....	107,039	112,957	107,039	107,039	107,039	---	---	---	D 8700
Metal/nonmetal.....	42,296	46,862	41,412	41,412	41,412	-884	---	---	D 8750
Standards development.....	1,339	1,008	1,008	1,008	1,008	-331	---	---	D 8800
Assessments.....	3,781	3,712	3,497	3,497	3,497	-284	---	---	D 8850
Educational policy and development.....	15,064	14,865	14,782	14,782	14,782	-282	---	---	D 8900
Technical support.....	22,097	23,575	21,268	21,268	21,268	-829	---	---	D 8950
Program administration.....	8,519	9,127	7,667	7,667	7,667	-852	---	---	D 9000
Total, Mine Safety and Health Administration.....	200,135	212,106	196,673	196,673	196,673	-3,462	---	---	
BUREAU OF LABOR STATISTICS									
SALARIES AND EXPENSES									
Employment and Unemployment Statistics.....	99,421	107,955	100,000	100,000	97,155	-2,266	-2,845	-2,845	D 9300
Labor Market Information (Trust Funds).....	(53,206)	(56,350)	(49,997)	(49,997)	(51,278)	(-1,928)	(+1,281)	(+1,281)	TF* 9350
Prices and cost of living.....	93,001	99,224	93,956	93,956	97,712	+4,711	+3,756	+3,756	D 9400
Compensation and working conditions.....	61,188	63,855	54,625	54,625	53,444	-7,744	-1,181	-1,181	D 9450
Productivity and technology.....	6,970	7,419	6,413	6,413	6,974	+4	+561	+561	D 9500
Economic growth and employment projections.....	4,006	4,487	3,847	3,847	4,451	+445	+604	+604	D 9550
Executive direction and staff services.....	26,723	25,842	22,072	22,072	21,896	-4,827	-176	-176	D 9600
Consumer Price Index Revision.....	5,127	11,549	11,549	11,549	11,549	+6,422	---	---	D 9700
Total, Bureau of Labor Statistics.....	349,642	376,681	342,459	342,459	344,459	-5,183	+2,000	+2,000	
Federal Funds.....	296,436	320,331	292,462	292,462	293,181	-3,255	+719	+719	
Trust Funds.....	(53,206)	(56,350)	(49,997)	(49,997)	(51,278)	(-1,928)	(+1,281)	(+1,281)	

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs FY 1995	House	Senate	Mand Disc
-----										
DEPARTMENTAL MANAGEMENT										
SALARIES AND EXPENSES										
Executive direction.....	20,934	26,232	18,641	18,641	18,641	-2,293	---	---	---	D 10050
Legal services.....	61,844	69,570	58,072	58,072	58,072	-3,772	---	---	---	D 10100
Trust funds.....	(328)	(342)	(303)	(303)	(303)	(-25)	---	---	---	TF* 10150
International labor affairs.....	12,198	12,950	5,850	9,930	8,900	-3,298	---	+3,050	-1,030	D 10200
Administration and management.....	14,963	15,503	13,904	13,904	13,904	-1,059	---	---	---	D 10250
Adjudication.....	19,926	24,589	18,500	18,500	20,500	+574	---	+2,000	+2,000	D 10300
Promoting employment of people with disabilities.....	4,358	4,772	4,358	4,358	4,358	---	---	---	---	D 10350
Women's Bureau.....	8,326	8,973	7,743	7,743	7,743	-583	---	---	---	D 10400
Civil Rights Activities.....	4,888	5,038	4,535	4,535	4,535	-353	---	---	---	D 10450
Chief Financial Officer.....	4,738	5,120	4,394	4,394	4,394	-344	---	---	---	D 10500
Enforcement Automation.....	2,000	---	---	---	---	-2,000	---	---	---	D 10550
Total, Salaries and expenses.....	154,503	173,089	136,300	140,380	141,350	-13,153	---	+5,050	+970	---
Federal funds.....	154,175	172,747	135,997	140,077	141,047	-13,128	---	+5,050	+970	---
Trust funds.....	(328)	(342)	(303)	(303)	(303)	(-25)	---	---	---	---
VETERANS EMPLOYMENT AND TRAINING										
State Administration:										
Disabled Veterans Outreach Program.....	(83,601)	(83,643)	(76,913)	(76,913)	(76,913)	(-6,688)	---	---	---	TF* 10850
Local Veterans Employment Program.....	(77,593)	(77,632)	(71,386)	(71,386)	(71,386)	(-6,207)	---	---	---	TF* 10900
Subtotal, State Administration.....	(161,194)	(161,275)	(148,299)	(148,299)	(148,299)	(-12,895)	---	---	---	---
Federal Administration.....	(21,025)	(23,017)	(19,419)	(19,419)	(19,419)	(-1,606)	---	---	---	TF* 11000
National Veterans Training Institute.....	(2,904)	(2,822)	(2,672)	(2,672)	(2,672)	(-232)	---	---	---	TF* 11050
Total, Trust Funds.....	(185,123)	(187,114)	(170,390)	(170,390)	(170,390)	(-14,733)	---	---	---	---

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
REINVENTION INVESTMENT FUND.....	---	3,900	---	---	---	---	---	---	D 11150
OFFICE OF THE INSPECTOR GENERAL									
Program activities.....	40,517	41,657	37,622	37,622	37,622	-2,895	---	---	D 11300
Trust funds.....	(3,895)	(4,055)	(3,615)	(3,615)	(3,615)	(-280)	---	---	TF* 11350
Executive Direction and Management.....	7,356	7,595	6,804	6,804	6,804	-552	---	---	D 11400
Total, Office of the Inspector General.....	51,768	53,307	48,041	48,041	48,041	-3,727	---	---	
Federal funds.....	47,873	49,252	44,426	44,426	44,426	-3,447	---	---	
Trust funds.....	(3,895)	(4,055)	(3,615)	(3,615)	(3,615)	(-280)	---	---	
Total, Departmental Management.....	391,394	417,410	354,731	356,811	359,781	-31,613	+5,050	+970	
Federal funds.....	202,048	225,899	180,423	184,503	185,473	-16,575	+5,050	+970	
Trust funds.....	(189,346)	(191,511)	(174,308)	(174,308)	(174,308)	(-15,038)	---	---	
Total, Labor Department.....	11,940,671	13,261,158	10,240,364	11,484,729	11,361,907	-578,764	+1,121,543	-122,822	
Federal funds.....	8,439,273	9,631,811	6,859,491	8,103,856	7,981,724	-457,549	+1,122,233	-122,132	
Trust funds.....	(3,501,398)	(3,629,347)	(3,380,873)	(3,380,873)	(3,380,183)	(-121,215)	(-690)	(-690)	

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES									
HEALTH RESOURCES AND SERVICES ADMINISTRATION									
HEALTH RESOURCES AND SERVICES									
Consolidated health centers.....	---	---	756,518	759,623	759,623	+759,623	+3,105	---	D 12525
Community health centers.....	616,595	---	---	---	---	-616,595	---	---	D 12550
Migrant health centers.....	65,000	---	---	---	---	-65,000	---	---	D 12575
Health care for the homeless.....	65,445	---	---	---	---	-65,445	---	---	D 12600
Public housing health service grants.....	9,518	---	---	---	---	-9,518	---	---	D 12625
Health Centers Cluster (proposed legislation).....	---	756,399	---	---	---	---	---	---	D 12650
Subtotal, Health Centers Activities.....	756,518	756,399	756,518	759,623	759,623	+3,105	+3,105	---	---
National Health Service Corps:									
Field placements.....	41,979	---	41,979	40,168	40,428	-1,551	-1,551	+260	D 12925
Recruitment.....	78,206	---	78,206	74,832	75,317	-2,889	-2,889	+485	D 12935
Subtotal, National Health Service Corps.....	120,185	---	120,185	115,000	115,745	-4,440	-4,440	+745	---

Note: All HHS accounts are current funded unless otherwise noted.



	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
-----									
Health Professions									
Consolidated Health Professions Education & Training..	---	---	278,977	---	---	---	-278,977	---	D 13022
Grants to communities for scholarships.....	474	---	---	379	474	---	+474	+95	D 13032
Health professions data system.....	548	---	---	400	240	-308	+240	-160	D 13035
Nurse loan repayment for shortage area service.....	2,044	---	---	1,635	1,962	-82	+1,962	+327	D 13040
Research on health professions issues.....	600	---	---	---	---	-600	---	---	D 13075
Workforce Development Cluster (proposed leg).....	---	127,218	---	---	---	---	---	---	D 13100
Centers of excellence.....	23,040	---	---	20,275	22,118	-922	+22,118	+1,843	D 13175
Health careers opportunity program.....	25,350	---	---	21,996	23,996	-1,354	+23,996	+2,000	D 13200
Exceptional financial need scholarships.....	10,542	---	---	9,277	10,120	-422	+10,120	+843	D 13225
Faculty loan repayment.....	955	---	---	840	955	---	+955	+115	D 13250
Fin assistance for disadvantaged HP students.....	5,895	---	---	5,500	5,999	+104	+5,999	+499	D 13275
HPSL recapitalization.....	8,017	---	---	---	---	-8,017	---	---	D 13300
Scholarships for disadvantaged students.....	17,376	---	---	15,638	16,681	-695	+16,681	+1,043	D 13325
Minority / Disadvantaged Cluster (proposed leg).....	---	89,450	---	---	---	---	---	---	D 13350
Family medicine training / departments.....	46,057	---	---	37,427	44,215	-1,842	+44,215	+6,788	D 13575
General internal medicine and pediatrics.....	16,503	---	---	13,202	15,843	-660	+15,843	+2,641	D 13600
Physician assistants.....	5,964	---	---	5,069	5,725	-239	+5,725	+656	D 13625
Public health and preventive medicine.....	7,546	---	---	6,414	7,244	-302	+7,244	+830	D 13650
Health administration traineeships / projects.....	978	---	---	831	978	---	+978	+147	D 13675
Primary Care Medicine and Public Health Cluster (proposed legislation).....	---	76,055	---	---	---	---	---	---	D 13700

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
Area health education centers.....	24,125	---	---	24,125	23,160	-965	+23,160	-965	D 13710
Border health training centers.....	3,509	---	---	2,807	3,369	-140	+3,369	+562	D 13720
General dentistry residencies.....	3,530	---	---	3,354	3,389	-141	+3,389	+35	D 13730
Allied health special projects.....	3,580	---	---	3,043	3,437	-143	+3,437	+394	D 13740
Geriatric education centers and training.....	8,273	---	---	6,618	7,942	-331	+7,942	+1,324	D 13750
Interdisciplinary traineeships.....	3,880	---	---	3,686	3,725	-155	+3,725	+39	D 13760
Podiatric medicine.....	615	---	---	615	615	---	+615	---	D 13770
Chiropractic demonstration grants.....	936	---	---	936	936	---	+936	---	D 13775
Enhanced Area Health Education Cluster (proposed legislation).....	---	38,783	---	---	---	---	---	---	D 13780
Advanced nurse education.....	11,642	---	---	10,245	11,176	-466	+11,176	+931	D 13790
Nurse practitioners / nurse midwives.....	16,140	---	---	14,203	15,494	-646	+15,494	+1,291	D 13800
Special projects.....	9,848	---	---	8,666	9,454	-394	+9,454	+788	D 13825
Nurse disadvantaged assistance.....	3,606	---	---	3,173	3,462	-144	+3,462	+289	D 13850
Professional nurse traineeships.....	14,830	---	---	13,050	14,237	-593	+14,237	+1,187	D 13875
Nurse anesthetists.....	2,574	---	---	2,265	2,471	-103	+2,471	+206	D 13900
Nurse Education / Practice Initiatives Cluster (proposed legislation).....	---	56,750	---	---	---	---	---	---	D 13925
Subtotal, Health professions.....	278,977	388,256	278,977	235,669	259,417	-19,560	-19,560	+23,748	

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
Other HRSA Programs:									
Hansen's disease services.....	20,826	20,826	17,500	17,500	17,500	-3,326	---	D	14425
Maternal & child health block grant.....	683,950	678,866	678,866	678,866	678,866	-5,084	---	D	14450
Healthy start.....	104,220	100,000	93,000	93,000	93,000	-11,220	---	D	14475
Organ transplantation.....	2,629	2,629	2,400	2,400	2,400	-229	---	D	14500
Health teaching facilities interest subsidies.....	411	411	411	411	411	---	---	D	14525
Bone marrow program.....	15,360	15,360	15,360	15,360	15,360	---	---	D	14550
Rural outreach grants.....	26,091	---	27,898	27,898	27,898	+1,807	---	D	14575
State Offices of Rural Health 1/.....	---	---	---	---	---	---	---	D	14600
Rural Health Cluster (proposed legislation).....	---	29,029	---	---	---	---	---	D	14625
Trauma care.....	293	---	---	---	---	-293	---	D	14650
Emergency medical services for children.....	10,000	---	11,000	10,500	11,000	+1,000	---	D	14675
Emergency Medical Services (EMS) Cluster (proposed legislation).....	---	14,784	---	---	---	---	---	D	14700
Black lung clinics.....	4,142	---	3,811	3,811	3,811	-331	---	D	14725
Alzheimers demonstration grants.....	4,959	---	4,000	4,000	4,000	-959	---	D	14750
Payment to Hawaii, treatment of Hansen's Disease..	2,976	---	2,045	2,045	2,045	-931	---	D	14775
Pacific Basin initiative.....	1,500	---	1,200	1,200	1,200	-300	---	D	14800
Native Hawaiian health care.....	4,336	---	---	---	---	-4,336	---	D	14825
Special Populations Cluster (proposed legislation)	---	17,259	---	---	---	---	---	D	14850
Subtotal, Other HRSA programs.....	881,693	879,164	857,491	856,991	857,491	-24,202	---	---	+500

1/ FY 1995 funding for this program was rescinded in  
P.L. 104-19.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs	Mand
							House	Disc
							Senate	
Acquired Immune Deficiency Syndrome (AIDS):								
Education and training centers.....	16,287	16,287	6,000	6,000	12,000	-4,287	+6,000	D 15025
AIDS dental services.....	6,937	6,937	6,937	6,937	6,937	---	---	D 15050
Ryan White AIDS Programs:								
Emergency assistance.....	356,500	407,000	379,500	379,500	391,700	+35,200	+12,200	D 15100
Comprehensive care programs.....	198,147	273,897	250,147	198,147	260,847	+62,700	+62,700	D 15125
Early intervention program.....	52,318	62,568	52,318	52,318	56,918	+4,600	+4,600	D 15150
Pediatric demonstrations.....	26,000	32,000	26,500	26,500	29,000	+3,000	+2,500	D 15175
Subtotal, Ryan White AIDS programs.....	632,965	775,465	708,465	656,465	738,465	+105,500	+30,000	+82,000
Subtotal, AIDS.....	656,189	798,589	721,402	669,402	757,402	+101,213	+36,000	+88,000
Family planning.....	193,349	198,982	193,349	193,349	193,349	---	---	D 15275
Rural health research.....	9,426	9,426	9,426	9,426	9,426	---	---	D 15300
Health care facilities.....	10,000	2,000	10,000	10,000	20,000	+10,000	+10,000	D 15325
Buildings and facilities.....	933	933	858	858	858	-75	---	D 15350
National practitioner data bank.....	9,000	6,000	6,000	6,000	6,000	-3,000	---	D 15375
User fees.....	-9,000	-6,000	-6,000	-6,000	-6,000	+3,000	---	D 15400
Program management.....	120,909	120,546	120,546	120,546	120,546	-363	---	D 15425
Savings attributable to legislative proposal.....	---	(6,000)	---	---	---	---	---	NA 15450
Undistributed administrative reduction.....	---	---	-16,000	-16,000	-16,000	-16,000	---	D 15475
Total, Health resources and services.....	3,028,179	3,154,395	3,052,752	2,954,864	3,077,857	+49,678	+25,105	+122,993

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
<b>MEDICAL FACILITIES GUARANTEE AND LOAN FUND:</b>									
Interest subsidy program.....	9,000	8,000	8,000	8,000	8,000	-1,000	---	---	M 15600
<b>HEALTH EDUCATION ASSISTANCE LOANS PROGRAM (HEAL):</b>									
New loan subsidies.....	22,050	18,044	13,500	13,500	13,500	-8,550	---	---	M 15650
Liquidating account (non-add).....	(17,990)	(42,000)	(42,000)	(42,000)	(42,000)	(+24,010)	---	---	NA 15675
HEAL loan limitation (non-add).....	(375,000)	(280,000)	(210,000)	(210,000)	(210,000)	(-165,000)	---	---	NA 15700
Program management.....	2,922	2,922	2,688	2,688	2,688	-234	---	---	D 15725
Total, HEAL.....	24,972	20,966	16,188	16,188	16,188	-8,784	---	---	
<b>VACCINE INJURY COMPENSATION PROGRAM TRUST FUND:</b>									
Post - FY88 claims (trust fund).....	54,476	56,721	56,721	56,721	56,721	+2,245	---	---	M 15800
HRSA administration (trust fund).....	3,000	3,000	3,000	3,000	3,000	---	---	---	M 15825
Subtotal, Vaccine injury compensation trust fund	57,476	59,721	59,721	59,721	59,721	+2,245	---	---	
<b>VACCINE INJURY COMPENSATION:</b>									
Pre - FY89 claims (appropriation).....	110,000	110,000	110,000	110,000	110,000	---	---	---	M 15900
Total, Vaccine injury.....	167,476	169,721	169,721	169,721	169,721	+2,245	---	---	
Total, Health Resources & Services Admin.....	3,229,627	3,353,082	3,246,661	3,148,773	3,271,766	+42,139	+25,105	+122,993	

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
CENTERS FOR DISEASE CONTROL 1/									
DISEASE CONTROL, RESEARCH AND TRAINING									
Preventive Health Services Block Grant.....	157,916	154,338	145,418	145,418	145,418	-12,498	---	---	D 18700
Prevention centers.....	7,724	7,724	8,099	8,099	8,099	+375	---	---	D 18800
Data initiative.....	---	6,000	---	---	---	---	---	---	D 18850
1% evaluation funds (non-add).....	---	(14,000)	---	---	---	---	---	---	NA 18900
Immunization partnership grant (proposed legislation).....	---	502,818	---	---	---	---	---	---	D 18950
CDC/HCFA vaccine program: Proposed legislation: Vaccine tax cut (non-add).....	---	-25,000	---	---	---	---	---	---	NA 18975
Childhood immunization.....	463,734	---	470,497	470,497	470,497	+6,763	---	---	D 19000
HCFA vaccine purchase (non-add).....	(376,000)	(408,307)	(408,307)	(408,307)	(409,759)	(+33,759)	(+1,452)	(+1,452)	NA 19075
Subtotal, CDC/HCFA vaccine program level.....	(839,734)	(383,307)	(878,804)	(878,804)	(880,256)	(+40,522)	(+1,452)	(+1,452)	---
1995 vaccine rescission (non-add).....	---	---	(-53,000)	(-53,000)	---	---	(+53,000)	(+53,000)	NA 19090
Communicable diseases: HIV/STD/TB partnership grant (proposed legislation)	---	848,331	---	---	---	---	---	---	D 19150
Acquired Immune Deficiency Syndrome (AIDS).....	589,831	---	589,962	589,962	589,962	+131	---	---	D 19200
Tuberculosis.....	119,573	---	119,582	119,582	119,582	+9	---	---	D 19250
Sexually transmitted diseases.....	105,164	---	108,242	108,242	108,242	+3,078	---	---	D 19300
Subtotal, Communicable diseases.....	814,568	848,331	817,786	817,786	817,786	+3,218	---	---	---
Chronic diseases: Chronic diseases partnership grant (proposed leg).....	---	243,498	---	---	---	---	---	---	D 19400
Chronic and environmental disease prevention.....	139,664	---	147,439	147,439	147,439	+7,775	---	---	D 19450
Breast and cervical cancer screening.....	100,000	---	125,000	125,000	125,000	+25,000	---	---	D 19500
Subtotal, Chronic diseases.....	239,664	243,498	272,439	272,439	272,439	+32,775	---	---	---

1/ Appropriations were enacted in P.L. 104-91 and are displayed here for descriptive purposes only.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
Infectious disease.....	54,340	63,191	65,057	65,057	65,057	+10,717	---	---	D 19600
Lead poisoning prevention.....	36,404	36,391	36,409	36,409	36,409	+5	---	---	D 19650
Injury control.....	43,669	44,661	43,679	43,679	43,679	+10	---	---	D 19700
Occupational Safety and Health (NIOSH).....	131,984	137,084	133,859	133,859	133,859	+1,875	---	---	D 19925
Epidemic services.....	73,198	73,318	73,325	73,325	73,325	+127	---	---	D 20000
National Center for Health Statistics: Program operations.....	53,508	53,564	40,063	40,063	40,063	-13,445	---	---	D 20100
1% evaluation funds (non-add).....	(27,862)	(27,862)	(40,063)	(40,063)	(40,063)	(+12,201)	---	---	NA 20200
Subtotal, health statistics.....	53,508	53,564	40,063	40,063	40,063	-13,445	---	---	
Buildings and facilities.....	3,575	3,575	4,353	4,353	4,353	+778	---	---	D 20300
Program management.....	3,058	3,067	3,067	3,067	3,067	+9	---	---	D 20325
Savings attributable to legislative proposal.....	---	6,000	---	---	---	---	---	---	D 20350
Undistributed administrative reduction.....	---	---	-31,000	-31,000	-31,000	-31,000	---	---	D 20375
Subtotal, Centers for Disease Control.....	2,083,342	2,183,560	2,083,051	2,083,051	2,083,051	-291	---	---	
Crime Bill Activities: Rape prevention and education.....	---	35,000	28,542	28,542	28,542	+28,542	---	---	D 20420
Domestic violence community demonstrations.....	---	4,000	3,000	3,000	3,000	+3,000	---	---	D 20430
Crime victim study.....	---	100	100	100	100	+100	---	---	D 20440
Subtotal, Crime bill activities.....	---	39,100	31,642	31,642	31,642	+31,642	---	---	
Total, Disease Control.....	2,083,342	2,222,660	2,114,693	2,114,693	2,114,693	+31,351	---	---	



	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	Conference vs		Mand Disc
						FY 1995	House	
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								
-----								

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995 Conference vs House	Mand Disc
National Institute of Allergy and Infectious Diseases.	536,940	557,354	1,169,628	1,169,628	1,169,628	+632,688	D 22200
Transfer, Office of AIDS Research.....	(557,766)	(596,018)	---	---	---	(-557,766)	NA 22250
Subtotal.....	(1,094,706)	(1,153,372)	(1,169,628)	(1,169,628)	(1,169,628)	(+74,922)	---
National Institute of General Medical Sciences.....	880,233	907,674	946,971	946,971	946,971	+66,738	D 22450
Transfer, Office of AIDS Research.....	(24,664)	(26,135)	---	---	---	(-24,664)	NA 22500
Subtotal.....	(904,897)	(933,809)	(946,971)	(946,971)	(946,971)	(+42,074)	---
National Institute of Child Health and Human Development.....	509,031	526,177	595,162	595,162	595,162	+86,131	D 22750
Transfer, Office of AIDS Research.....	(58,667)	(60,713)	---	---	---	(-58,667)	NA 22800
Subtotal.....	(567,698)	(586,890)	(595,162)	(595,162)	(595,162)	(+27,464)	---
National Eye Institute.....	291,464	300,693	314,185	314,185	314,185	+22,721	D 23000
Transfer, Office of AIDS Research.....	(8,606)	(9,125)	---	---	---	(-8,606)	NA 23050
Subtotal.....	(300,070)	(309,818)	(314,185)	(314,185)	(314,185)	(+14,115)	---
National Institute of Environmental Health Sciences...	266,337	278,832	288,898	288,898	288,898	+22,561	D 23250
Transfer, Office of AIDS Research.....	(5,745)	(6,051)	---	---	---	(-5,745)	NA 23300
Subtotal.....	(272,082)	(284,883)	(288,898)	(288,898)	(288,898)	(+16,816)	---
National Institute on Aging.....	432,164	445,823	453,917	453,917	453,917	+21,753	D 23500
Transfer, Office of AIDS Research.....	(1,715)	(1,785)	---	---	---	(-1,715)	NA 23550
Subtotal.....	(433,879)	(447,608)	(453,917)	(453,917)	(453,917)	(+20,038)	---

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs	Senate	Mand Disc
							House		
National Institute of Arthritis and Musculoskeletal and Skin Diseases.....	228,122	235,428	241,828	241,828	241,828	+13,706	---	---	D 23800
Transfer, Office of AIDS Research.....	(2,879)	(3,039)	---	---	---	(-2,879)	---	---	NA 23850
Subtotal.....	(231,001)	(238,467)	(241,828)	(241,828)	(241,828)	(+10,827)	---	---	
National Institute on Deafness and Other Communication Disorders.....	167,138	172,399	176,502	176,502	176,502	+9,364	---	---	D 24100
Transfer, Office of AIDS Research.....	(1,552)	(1,650)	---	---	---	(-1,552)	---	---	NA 24150
Subtotal.....	(168,690)	(174,049)	(176,502)	(176,502)	(176,502)	(+7,812)	---	---	
National Institute of Nursing Research.....	48,123	50,159	55,831	55,831	55,831	+7,708	---	---	D 24250
Transfer, Office of AIDS Research.....	(4,577)	(4,896)	---	---	---	(-4,577)	---	---	NA 24300
Subtotal.....	(52,700)	(55,055)	(55,831)	(55,831)	(55,831)	(+3,131)	---	---	
National Institute on Alcohol Abuse and Alcoholism....	180,064	185,712	198,607	198,607	198,607	+18,543	---	---	D 24400
Transfer, Office of AIDS Research.....	(9,741)	(10,135)	---	---	---	(-9,741)	---	---	NA 24450
Subtotal.....	(189,805)	(195,847)	(198,607)	(198,607)	(198,607)	(+8,802)	---	---	
National Institute on Drug Abuse.....	289,581	298,738	458,441	458,441	458,441	+168,860	---	---	D 24550
Transfer, Office of AIDS Research.....	(147,347)	(153,331)	---	---	---	(-147,347)	---	---	NA 24600
Subtotal.....	(436,928)	(452,069)	(458,441)	(458,441)	(458,441)	(+21,513)	---	---	
National Institute of Mental Health.....	541,376	558,880	661,328	661,328	661,328	+119,952	---	---	D 24700
Transfer, Office of AIDS Research.....	(88,562)	(93,556)	---	---	---	(-88,562)	---	---	NA 24750
Subtotal.....	(629,938)	(652,136)	(661,328)	(661,328)	(661,328)	(+31,390)	---	---	

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995 Conference vs House	Senate Disc
National Center for Research Resources.....	287,341	307,544	390,339	390,339	390,339	+102,998	D 25175
Transfer, Office of AIDS Research.....	(64,630)	(68,370)	---	---	---	(-64,630)	NA 25180
Subtotal.....	(351,971)	(375,914)	(390,339)	(390,339)	(390,339)	(+38,368)	---
National Center for Human Genome Research.....	152,906	166,678	170,041	170,041	170,041	+17,135	D 25250
Transfer, Office of AIDS Research.....	(993)	(1,000)	---	---	---	(-993)	NA 25300
Subtotal.....	(153,899)	(167,678)	(170,041)	(170,041)	(170,041)	(+16,142)	---
John E. Fogarty International Center.....	14,633	15,267	25,313	25,313	25,313	+10,680	D 25450
Transfer, Office of AIDS Research.....	(9,108)	(9,694)	---	---	---	(-9,108)	NA 25500
Subtotal.....	(23,741)	(24,961)	(25,313)	(25,313)	(25,313)	(+1,572)	---
National Library of Medicine.....	125,195	136,311	141,439	141,439	141,439	+16,244	D 25650
Transfer, Office of AIDS Research.....	(2,694)	(3,162)	---	---	---	(-2,694)	NA 25700
Subtotal.....	(127,889)	(139,473)	(141,439)	(141,439)	(141,439)	(+13,550)	---
Office of the Director.....	214,234	230,256	261,488	261,488	261,488	+47,254	D 25900
Transfer, Office of AIDS Research.....	(25,394)	(27,598)	---	---	---	(-25,394)	NA 25950
Subtotal.....	(239,628)	(257,854)	(261,488)	(261,488)	(261,488)	(+21,860)	---
Buildings and facilities.....	114,120	144,120	146,151	146,151	146,151	+32,031	D 26100
Office of AIDS Research.....	1,333,086	1,407,824	---	---	---	-1,333,086	D 26110
Total N.I.H.....	11,284,162	11,764,066	11,939,001	11,939,001	11,939,001	+654,839	---

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate Disc
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES								
ADMINISTRATION								
Center for Mental Health Services:								
Consolidated Mental Health Demonstrations.....	---	53,092	38,100	38,100	38,100	+38,100	---	D 26900
Mental Health Block Grant.....	275,420	304,617	275,420	226,281	275,420	---	---	+49,139 D 26950
Children's mental health.....	59,958	60,000	60,000	60,000	60,000	+42	---	D 27000
Clinical training / AIDS training.....	5,379	---	---	---	---	-5,379	---	D 27050
Community support demonstrations.....	24,147	---	---	---	---	-24,147	---	D 27100
Grants to States for the homeless (PATH).....	29,462	---	20,000	20,000	20,000	-9,462	---	D 27150
Homeless services demonstrations.....	21,205	---	---	---	---	-21,205	---	D 27200
Protection and advocacy.....	21,957	21,760	19,850	19,850	19,850	-2,107	---	D 27250
AIDS demonstrations.....	1,485	---	---	---	---	-1,485	---	D 27300
Subtotal, mental health.....	439,013	439,469	413,370	364,231	413,370	-25,643	---	+49,139

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
Center for Substance Abuse Treatment:									
Consolidated Treatment Demonstrations.....	---	236,694	90,000	90,000	90,000	+90,000	---	---	D 27600
Substance abuse block grant.....	1,234,107	1,294,107	1,234,107	1,200,000	1,234,107	---	---	+34,107	D 27650
Treatment grants to crisis areas.....	35,520	---	---	---	---	-35,520	---	---	D 27700
Treatment improvement demos:									
Pregnant/post partum women and children.....	54,228	---	---	---	---	-54,228	---	---	D 27800
Transfer from forfeiture fund (non-add)...	(10,000)	---	---	---	---	(-10,000)	---	---	NA 27850
Criminal justice program.....	37,502	---	---	---	---	-37,502	---	---	D 27900
Designated populations.....	23,561	---	---	---	---	-23,561	---	---	D 27950
Comprehensive community treatment program.....	27,073	---	---	---	---	-27,073	---	---	D 28000
Transfer from forfeiture fund (non-add)...	(4,000)	---	---	---	---	(-4,000)	---	---	NA 28050
Training.....	5,590	---	---	---	---	-5,590	---	---	D 28100
AIDS demonstration & training:									
Training.....	2,787	---	---	---	---	-2,787	---	---	D 28300
Linkage.....	7,739	---	---	---	---	-7,739	---	---	D 28350
Outreach.....	7,500	---	---	---	---	-7,500	---	---	D 28400
Treatment capacity expansion program.....	6,701	---	---	---	---	-6,701	---	---	D 28450
Subtotal, Substance Abuse Treatment.....	1,442,308	1,530,801	1,324,107	1,290,000	1,324,107	-118,201	---	+34,107	

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
Center for Substance Abuse Prevention:									
Consolidated Prevention Demonstrations.....	---	216,080	90,000	90,000	90,000	+90,000	---	---	D 28600
Prevention demonstrations:									
High risk youth.....	65,160	---	---	---	---	-65,160	---	---	D 28700
Pregnant women & infants.....	22,501	---	---	---	---	-22,501	---	---	D 28750
Other programs.....	6,318	---	---	---	---	-6,318	---	---	D 28800
Community partnership.....	114,741	---	---	---	---	-114,741	---	---	D 28850
Prevention education/dissemination.....	13,465	---	---	---	---	-13,465	---	---	D 28900
Training.....	16,049	---	---	---	---	-16,049	---	---	D 28950
Subtotal, Substance Abuse Prevention.....	238,234	216,080	90,000	90,000	90,000	-148,234	---	---	
Subtotal, Abuse Prevention program level.....	(238,234)	(216,080)	(90,000)	(90,000)	(90,000)	(-148,234)	---	---	
Program management.....	61,113	58,042	56,238	56,238	56,238	-4,875	---	---	D 29050
Savings attributable to legislative proposal.....	---	3,000	---	---	---	---	---	---	D 29160
Total, Substance Abuse and Mental Health.....	2,180,668	2,247,392	1,883,715	1,800,469	1,883,715	-296,953	---	---	+83,246



	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
ASSISTANT SECRETARY FOR HEALTH									
OFFICE OF THE ASSISTANT SECRETARY FOR HEALTH									
Population affairs: Adolescent family life.....	6,678	6,144	---	---	---	-6,678	---	---	D 29700
Health Initiatives:									
Office of Disease Prevention and Health Promotion.....	4,558	4,601	---	---	---	-4,558	---	---	D 29850
Physical fitness and sports.....	1,407	1,406	---	---	---	-1,407	---	---	D 29900
Minority health.....	20,540	20,592	---	---	---	-20,540	---	---	D 29950
National vaccine program.....	988	995	---	---	---	-988	---	---	D 30000
Office of research integrity.....	3,853	3,858	---	---	---	-3,853	---	---	D 30050
Office of women's health.....	2,542	2,552	---	---	---	-2,542	---	---	D 30100
Emergency preparedness .....	2,180	2,374	---	---	---	-2,180	---	---	D 30150
Health care reform data analysis.....	1,344	---	---	---	---	-1,344	---	---	D 30200
Data development program.....	---	3,856	---	---	---	---	---	---	D 30225
Health Service Management.....	18,432	17,304	---	---	---	-18,432	---	---	D 30250
Streamlining costs.....	1,500	785	---	---	---	-1,500	---	---	D 30300
National AIDS program office.....	1,730	1,739	---	---	---	-1,730	---	---	D 30350
Total, OASH.....	65,752	66,206	---	---	---	-65,752	---	---	

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS									
Retirement Payments.....	124,213	129,808	129,808	129,808	129,808	+5,595	---	---	M 30700
Survivors benefits.....	8,826	9,208	9,208	9,208	9,208	+382	---	---	M 30750
Dependent's medical care.....	23,844	25,108	25,108	25,108	25,108	+1,264	---	---	M 30800
Military Services Credits.....	2,438	2,801	2,801	2,801	2,801	+363	---	---	M 30850
Total, Retirement pay and medical benefits.....	159,321	166,925	166,925	166,925	166,925	+7,604	---	---	

AGENCY FOR HEALTH CARE POLICY AND RESEARCH									
	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate Disc	Mand
Health services research:									
Research.....	58,919	63,433	38,160	38,160	9,160	-49,759	-29,000	-29,000	D 31400
1% evaluation funding (non-add).....	(18,300)	(39,284)	(31,124)	(34,284)	(60,124)	(+41,824)	(+29,000)	(+25,840)	NA 31600
Subtotal including trust funds & 1% funds.....	(77,219)	(102,717)	(69,284)	(72,444)	(69,284)	(-7,935)	---	(-3,160)	
Medical treatment effectiveness:									
Federal funds.....	73,947	76,568	55,796	27,000	55,796	-18,151	---	+28,796	D 31750
Trust funds.....	(5,796)	(5,796)	---	---	---	(-5,796)	---	---	TF* 31800
1% evaluation funding (non-add).....	---	(6,000)	---	(28,796)	---	---	---	(-28,796)	NA 31900
Subtotal, Medical treatment effectiveness.....	(79,743)	(88,364)	(55,796)	(55,796)	(55,796)	(-23,947)	---	---	
Program support.....	2,424	2,423	2,230	2,230	2,230	-194	---	---	D 32000
Undistributed administrative reduction.....	---	---	-2,000	-2,000	-2,000	-2,000	---	---	D 32025
Total, Health Care Policy and Research: Federal Funds.....	135,290	142,424	94,186	65,390	65,186	-70,104	-29,000	-204	
Trust funds.....	(5,796)	(5,796)	---	---	---	(-5,796)	---	---	
Total, 1% evaluation funding (non-add).....	(18,300)	(45,284)	(31,124)	(63,080)	(60,124)	(+41,824)	(+29,000)	(-2,956)	
Total, Health Care Policy & Research (non-add).. Federal Funds.....	(159,386)	(193,504)	(125,310)	(128,470)	(125,310)	(-34,076)	---	(-3,160)	
Total, Public Health Service: Federal Funds.....	19,138,162	19,962,755	19,445,181	19,235,251	19,441,286	+303,124	-3,895	+206,035	
Trust funds.....	(5,796)	(5,796)	---	---	---	(-5,796)	---	---	

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs FY 1995	House	Senate	Mand Disc
HEALTH CARE FINANCING ADMINISTRATION										
GRANTS TO STATES FOR MEDICAID										
Medicaid current law benefits.....	84,835,700	92,235,200	92,235,200	92,235,200	92,235,200	+7,399,500	---	---	---	M 33100
Excess benefit budget authority.....	7,657,598	---	---	---	---	-7,657,598	---	---	---	M 33150
State and local administration.....	3,602,660	3,742,000	3,742,000	3,742,000	3,742,000	+139,340	---	---	---	M 33200
Excess admin budget authority.....	294,891	---	---	---	---	-294,891	---	---	---	M 33250
Proposed legislation: Vaccine tax cut (non-add).....	---	(-46,800)	---	---	---	---	---	---	---	NA 33300
Subtotal, Medicaid program level, FY 1996.....	96,390,849	95,977,200	95,977,200	95,977,200	95,977,200	-413,649	---	---	---	---
Carryover balance.....	-7,150,074	-13,835,128	-13,835,128	-13,835,128	-13,835,128	-6,685,054	---	---	---	M 33450
Less funds advanced in prior year.....	-26,600,000	-27,047,717	-27,047,717	-27,047,717	-27,047,717	-447,717	---	---	---	M 33500
Total, request, FY 1996.....	62,640,775	55,094,355	55,094,355	55,094,355	55,094,355	-7,546,420	---	---	---	---
New advance, 1st quarter, FY 1997.....	27,047,717	26,155,350	26,155,350	26,155,350	26,155,350	-892,367	---	---	---	M 33600
PAYMENTS TO HEALTH CARE TRUST FUNDS										
Supplemental medical insurance.....	36,955,000	55,385,000	55,385,000	55,385,000	55,385,000	+18,430,000	---	---	---	M 33700
Hospital insurance for the uninsured.....	406,000	358,000	358,000	358,000	358,000	-48,000	---	---	---	M 33750
Federal uninsured payment.....	56,000	63,000	63,000	63,000	63,000	+7,000	---	---	---	M 33800
DOP adjustment.....	---	625,000	625,000	625,000	625,000	+625,000	---	---	---	M 33850
SMI lapses.....	---	6,737,000	6,737,000	6,737,000	6,737,000	+6,737,000	---	---	---	M 33900
Program management.....	129,758	145,000	145,000	145,000	145,000	+15,242	---	---	---	M 33950
Total, Payment to Trust Funds, current law.....	37,546,758	63,313,000	63,313,000	63,313,000	63,313,000	+25,766,242	---	---	---	---

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	Conference vs		Mand Disc
						FY 1995	House	
PROGRAM MANAGEMENT								
Research, demonstration, and evaluation:								
Regular program, trust funds.....	(45,146)	(58,000)	(40,000)	(40,000)	(40,000)	(-5,146)	---	TF* 34150
Counseling program.....	(10,036)	(4,500)	---	---	---	(-10,036)	---	TF* 34200
Rural hospital transition demonstrations, trust funds.....	(17,621)	---	(13,089)	(13,089)	(13,089)	(-4,532)	---	TF* 34300
Essential access community hospitals, trust funds.	(2,000)	---	---	---	---	(-2,000)	---	TF* 34350
New rural health grants.....	---	(2,000)	---	---	---	---	---	TF* 34400
Subtotal, research, demonstration, & evaluation.	(74,803)	(64,500)	(53,089)	(53,089)	(53,089)	(-21,714)	---	
Medicare Contractors (Trust Funds).....	(1,604,171)	(1,631,100)	(1,604,171)	(1,584,767)	(1,604,171)	---	(+19,404)	TF* 34500
State Survey and Certification:								
Medicare certification, trust funds.....	(145,800)	(162,100)	(147,625)	(147,625)	(147,625)	(+1,825)	---	TF* 34600
Proposed legislation.....	---	(-8,800)	---	---	---	---	---	NA 34650
Federal Administration:								
Trust funds.....	(353,374)	(396,222)	(326,053)	(326,053)	(326,053)	(-27,321)	---	TF* 34750
Less current law user fees.....	(-124)	(-128)	(-128)	(-128)	(-128)	(-4)	---	TF* 34800
Subtotal, Federal Administration.....	(353,250)	(396,094)	(325,925)	(325,925)	(325,925)	(-27,325)	---	
Total, Program management.....	(2,178,024)	(2,253,794)	(2,130,810)	(2,111,406)	(2,130,810)	(-47,214)	(+19,404)	
PROPOSED LEG: UNDOCUMENTED ALIENS ASSISTANCE (NON-ADD).....	---	(150,000)	---	---	---	---	---	NA 35100
HMO LOAN AND LOAN GUARANTEE FUND.....	15,000	---	---	---	---	-15,000	---	M 35200
Total, Health Care Financing Administration:								
Federal funds.....	127,250,250	144,562,705	144,562,705	144,562,705	144,562,705	+17,312,455	---	
Current year, FY 1995 / 1996.....	(100,202,533)	(118,407,355)	(118,407,355)	(118,407,355)	(118,407,355)	(+18,204,822)	---	
New advance, 1st quarter, FY 1996 / 1997..	(27,047,717)	(26,155,350)	(26,155,350)	(26,155,350)	(26,155,350)	(-892,367)	---	
Trust funds.....	(2,178,024)	(2,253,794)	(2,130,810)	(2,111,406)	(2,130,810)	(-47,214)	(+19,404)	

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
ADMINISTRATION FOR CHILDREN AND FAMILIES									
FAMILY SUPPORT PAYMENTS TO STATES									
Aid to Families with Dependent Children (AFDC).....	12,424,136	12,999,000	12,999,000	12,999,000	12,999,000	+574,864	---	---	M 38250
Quality control liabilities.....	-40,867	-71,121	-71,121	-71,121	-71,121	-30,254	---	---	M 38300
Payments to territories.....	19,428	19,428	19,428	19,428	19,428	---	---	---	M 38350
Emergency assistance.....	864,000	974,000	974,000	974,000	974,000	+110,000	---	---	M 38400
Repatriation.....	1,000	1,000	1,000	1,000	1,000	---	---	---	M 38450
State and local welfare administration.....	1,716,000	1,770,000	1,770,000	1,770,000	1,770,000	+54,000	---	---	M 38550
Work activities child care.....	666,000	734,000	734,000	734,000	734,000	+68,000	---	---	M 38600
Transitional child care.....	199,000	220,000	220,000	220,000	220,000	+21,000	---	---	M 38650
At risk child care.....	357,000	300,000	300,000	300,000	300,000	-57,000	---	---	M 38700
Subtotal, Welfare payments.....	16,205,697	16,946,307	16,946,307	16,946,307	16,946,307	+740,610	---	---	
Child Support Enforcement:									
State and local administration.....	1,966,000	1,943,000	1,943,000	1,943,000	1,943,000	-23,000	---	---	M 38850
Federal incentive payments.....	402,000	439,000	439,000	439,000	439,000	+37,000	---	---	M 38900
Less federal share collections.....	-1,213,000	-1,314,000	-1,314,000	-1,314,000	-1,314,000	-101,000	---	---	M 38950
Subtotal, Child support.....	1,155,000	1,068,000	1,068,000	1,068,000	1,068,000	-87,000	---	---	
Total, Payments, FY 1995 / 1996 program level...	17,360,697	18,014,307	18,014,307	18,014,307	18,014,307	+653,610	---	---	
Less funds advanced in previous years.....	-4,200,000	-4,400,000	-4,400,000	-4,400,000	-4,400,000	-200,000	---	---	M 39100
Total, Payments, current request, FY 1995 /1996.	13,160,697	13,614,307	13,614,307	13,614,307	13,614,307	+453,610	---	---	
New advance, 1st quarter, FY 1996 /1997.....	4,400,000	4,800,000	4,800,000	4,800,000	4,800,000	+400,000	---	---	M 39300

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
JOB OPPORTUNITIES AND BASIC SKILLS (JOBS).....	970,000	1,000,000	1,000,000	1,000,000	1,000,000	+30,000	---	---	M 39350
LOW INCOME HOME ENERGY ASSISTANCE									
Advance from prior year (non-add).....	(1,474,998)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(-474,998)	---	---	NA 39450
Rescission.....	-155,796	---	-100,000	-100,000	-100,000	+55,796	---	---	D 39500
FY 1996 program level.....	(1,319,202)	(1,000,000)	(900,000)	(900,000)	(900,000)	(-419,202)	---	---	
Emergency allocation (non-add).....	(600,000)	---	---	(300,000)	(300,000)	(-300,000)	(+300,000)	---	NA 39600
Advance funding (FY 1996 / 1997).....	1,000,000	1,319,204	---	1,000,000	---	-1,000,000	---	-1,000,000	D 39700
REFUGEE AND ENTRANT ASSISTANCE									
Transitional and medical services.....	258,273	278,529	263,273	263,273	263,273	+5,000	---	---	D 39900
Social services.....	80,802	80,802	80,802	80,802	80,802	---	---	---	D 39950
Preventive health.....	5,300	5,471	2,700	2,700	2,700	-2,600	---	---	D 40000
Targeted assistance.....	55,397	49,397	51,097	51,097	55,397	---	+4,300	+4,300	D 40050
Carryover (non-add).....	(7,000)	---	(10,590)	(10,590)	(10,590)	(+3,590)	---	---	NA 40055
Total, Refugee and entrant assistance.....	399,772	414,199	397,872	397,872	402,172	+2,400	+4,300	+4,300	
STATE LEGALIZATION IMPACT ASSISTANCE GRANTS:									
SLIAG rescission.....	-75,000	---	---	---	---	+75,000	---	---	D 40200
Civics and English education grants.....	4,000	---	---	---	---	-4,000	---	---	D 40250
Total, SLIAG.....	-71,000	---	---	---	---	+71,000	---	---	
CHILD CARE AND DEVELOPMENT BLOCK GRANT (delay obligation until Sept. 30, 1996).....	934,642	1,048,825	934,642	934,642	934,642	---	---	---	D 40550
SOCIAL SERVICES BLOCK GRANT (TITLE XX).....	2,800,000	2,800,000	2,520,000	2,310,000	2,381,000	-419,000	-139,000	+71,000	M 40600



	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
CHILDREN AND FAMILIES SERVICES PROGRAMS									
Programs for Children, Youth, and Families:									
Head start.....	3,534,129	3,934,728	3,534,429	3,534,129	3,570,129	+36,000	+35,700	+36,000	D 41000
Child development associate scholarships.....	1,360	---	---	---	---	-1,360	---	---	D 41050
Consolidated runaway, homeless youth program.....	---	68,572	---	---	---	---	---	---	D 41100
Runaway and homeless youth.....	40,458	---	43,653	43,653	43,653	+3,195	---	---	D 41150
Runaway youth - transitional living.....	13,649	---	14,949	14,949	14,949	+1,300	---	---	D 41200
Runaway youth activities - drugs.....	14,466	---	---	---	---	-14,466	---	---	D 41250
Subtotal, runaway.....	68,573	68,572	58,602	58,602	58,602	-9,971	---	---	
Youth gang substance abuse.....	10,420	10,520	---	---	---	-10,420	---	---	D 41350
Child abuse state grants.....	22,854	22,854	21,026	21,026	21,026	-1,828	---	---	D 41400
Child abuse discretionary activities.....	15,385	15,385	14,154	14,154	14,154	-1,231	---	---	D 41450
ABCAM.....	288	288	---	---	---	-288	---	---	D 41500
Temporary childcare/crisis nurseries.....	11,835	11,835	9,835	9,835	9,835	-2,000	---	---	D 41550
Abandoned infants assistance.....	14,406	14,406	12,406	12,406	12,406	-2,000	---	---	D 41600
Dependent care planning and development.....	12,823	---	---	---	---	-12,823	---	---	D 41650
Child welfare services.....	291,989	291,989	277,389	268,629	277,389	-14,600	---	+8,760	D 41700
Child welfare training.....	4,398	4,398	2,000	2,000	2,000	-2,398	---	---	D 41750
Child welfare research.....	6,395	6,395	---	---	---	-6,395	---	---	D 41800
Adoption opportunities.....	13,000	13,000	11,000	11,000	11,000	-2,000	---	---	D 41850
Family violence.....	32,619	32,645	32,645	32,645	32,645	+26	---	---	D 41900
Social services research.....	44,961	14,961	---	---	---	-14,961	---	---	D 41950
Family support centers.....	7,371	---	---	---	---	-7,371	---	---	D 42000
Community Based Resource Centers.....	31,363	38,734	23,000	23,000	23,000	-8,363	---	---	D 42050

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
<b>Developmental disabilities program:</b>									
State councils.....	70,438	70,438	40,438	64,803	64,803	-5,635	+24,365	---	D 42150
Protection and advocacy.....	26,718	26,718	26,718	26,718	26,718	---	---	---	D 42200
Developmental disabilities special projects.....	5,715	5,715	---	5,258	5,258	-457	+5,258	---	D 42250
Developmental disabilities university affiliated programs.....	18,979	18,979	10,000	17,461	17,461	-1,518	+7,461	---	D 42350
Subtotal, Developmental disabilities.....	121,850	121,850	77,156	114,240	114,240	-7,610	+37,084	---	
<b>Native American Programs.....</b>									
	38,382	38,461	35,000	35,000	35,000	-3,382	---	---	D 42450
<b>Community services:</b>									
Community Services Block Grants.....	389,600	391,500	389,600	389,600	389,600	---	---	---	D 42550
Homeless services grants.....	19,752	19,752	---	---	---	-19,752	---	---	D 42600
<b>Discretionary funds:</b>									
Community initiative program:									
Economic development.....	23,733	---	27,334	27,334	27,334	+3,601	---	---	D 42750
Rural housing 1/.....	---	---	---	---	---	---	---	---	D 42800
Rural community facilities.....	3,271	---	3,009	3,009	3,009	-262	---	---	D 42850
Farmworker assistance 1/.....	---	---	---	---	---	---	---	---	D 42900
Subtotal, discretionary funds.....	27,004	---	30,343	30,343	30,343	+3,339	---	---	
National youth sports.....	12,000	---	11,520	11,520	11,520	-480	---	---	D 43000
Demonstration Partnerships.....	601	---	---	---	---	-601	---	---	D 43050
Community Food and Nutrition.....	8,676	6,000	4,000	4,000	4,000	-4,676	---	---	D 43100
Subtotal, Community services.....	457,633	417,252	435,463	435,463	435,463	-22,170	---	---	

1/ FY 1995 funding for this program was rescinded in  
in P.L. 104-19.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
Program direction.....	162,299	173,983	150,117	150,117	150,117	-12,182	---	---	D 43200
EBT task force.....	---	2,000	---	---	---	---	---	---	D 43250
Total, Children and Families Services Programs..	4,874,333	5,234,256	4,694,222	4,722,246	4,767,006	-107,327	+72,784	+44,760	
VIOLENT CRIME REDUCTION PROGRAMS:									
Community schools.....	10,000	72,500	---	---	---	-10,000	---	---	D 43300
Community economic partnership.....	---	10,000	---	---	---	---	---	---	D 43350
Runaway Youth Prevention.....	---	7,000	5,558	5,558	5,558	+5,558	---	---	D 43400
Domestic violence hotline.....	1,000	400	400	400	400	-600	---	---	D 43450
Battered women's shelters.....	---	15,000	15,000	15,000	15,000	+15,000	---	---	D 43500
Youth education demonstration.....	---	400	400	400	400	+400	---	---	D 43550
Total, Violent crime reduction programs.....	11,000	105,300	21,358	21,358	21,358	+10,358	---	---	
FAMILY SUPPORT AND PRESERVATION.....	150,000	225,000	225,000	225,000	225,000	+75,000	---	---	M 43750
PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE									
Foster care.....	3,128,023	3,749,825	3,742,338	3,742,338	3,742,338	+614,315	---	---	M 43900
Adoption assistance.....	399,348	488,017	509,900	509,900	509,900	+110,552	---	---	M 43950
Independent living.....	70,000	70,000	70,000	70,000	70,000	---	---	---	M 44000
Total, Payment to States.....	3,597,371	4,307,842	4,322,238	4,322,238	4,322,238	+724,867	---	---	
Total, Administration for Children and Families.	32,071,019	34,868,933	32,429,639	33,247,663	32,367,723	+296,704	-61,916	-879,940	
Current year, FY 1995 / 1996.....	(26,671,019)	(28,749,729)	(27,629,639)	(27,447,663)	(27,567,723)	(+896,704)	(-61,916)	(+120,060)	
FY 1996 / 1997.....	(5,400,000)	(6,119,204)	(4,800,000)	(5,800,000)	(4,800,000)	(-600,000)	---	(-1,000,000)	

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs	Mand
							House	Disc
ADMINISTRATION ON AGING								
AGING SERVICES PROGRAMS								
Grants to States:								
Supportive services and centers.....	306,711	306,711	291,375	291,375	300,556	-6,155	+9,181	D 44600
Ombudsman services.....	4,449	4,449	---	4,449	---	-4,449	---	D 44650
Prevention of elder abuse.....	4,732	6,232	---	4,732	---	-4,732	---	D 44700
Pension counseling.....	1,976	1,976	---	---	---	-1,976	---	D 44750
Preventive health.....	16,982	16,982	---	15,623	15,623	-1,359	+15,623	D 44800
Nutrition:								
Congregate meals.....	375,809	375,809	364,535	364,535	364,535	-11,274	---	D 44900
Home-delivered meals.....	94,065	94,065	105,339	105,339	105,339	+11,274	---	D 44950
Frail elderly in-home services.....	9,263	9,263	9,263	9,263	9,263	---	---	D 45000
Grants to Indians.....	16,902	18,402	15,550	15,550	16,057	-845	+507	D 45050
Aging research, training and special projects.....	25,630	45,134	---	4,991	2,850	-22,780	+2,850	D 45100
Federal Council on Aging.....	176	226	---	---	---	-176	---	D 45150
White House Conference on Aging.....	3,000	500	---	---	---	-3,000	---	D 45200
Program administration.....	16,312	17,399	15,170	15,170	15,170	-1,142	---	D 45250
Total, Administration on Aging.....	876,007	897,148	801,232	831,027	829,393	-46,614	+28,161	-1,634

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
OFFICE OF THE SECRETARY									
GENERAL DEPARTMENTAL MANAGEMENT:									
Federal funds.....	88,150	86,162	96,439	96,439	98,439	+10,289	+2,000	+2,000	D 45450
Trust funds.....	(11,611)	---	---	---	---	(-11,611)	---	---	TF 45550
Portion treated as budget authority.....	(7,366)	(7,204)	(6,628)	(6,628)	(6,628)	(-738)	---	---	TF* 45600
Emergency preparedness 1/.....	---	---	---	---	---	---	---	---	D 45605
Population affairs: Adolescent family life.....	---	---	6,698	7,698	7,698	+7,698	+1,000	---	D 45620
Physical fitness and sports.....	---	---	1,000	1,000	1,000	+1,000	---	---	D 45630
Minority health.....	---	---	27,000	20,000	27,000	+27,000	---	+7,000	D 45640
Office of research integrity 1/.....	---	---	---	---	---	---	---	---	D 45650
Office of women's health.....	---	---	5,362	5,362	5,362	+5,362	---	---	D 45660
Office of Disease Prevention 1/.....	---	---	---	---	---	---	---	---	D 45675
Total, General Departmental Management:	88,150	86,162	136,499	130,499	139,499	+51,349	+3,000	+9,000	
Federal funds.....	(18,977)	(7,204)	(6,628)	(6,628)	(6,628)	(-12,349)	---	---	
Trust funds.....	(107,127)	(93,366)	(143,127)	(137,127)	(146,127)	(+39,000)	(+3,000)	(+9,000)	
OFFICE OF THE INSPECTOR GENERAL:									
Federal funds.....	60,748	58,889	56,333	58,492	58,492	-2,256	+2,159	---	D 46000
Trust funds.....	(7,862)	---	---	---	---	(-7,862)	---	---	TF 46050
Portion treated as budget authority.....	(20,846)	(21,048)	(17,623)	(20,670)	(20,670)	(-176)	(+3,047)	---	TF* 46100
Total, Office of the Inspector General:	60,748	58,889	56,333	58,492	58,492	-2,256	+2,159	---	
Federal funds.....	(28,708)	(21,048)	(17,623)	(20,670)	(20,670)	(-8,038)	(+3,047)	---	
Trust funds.....	(89,456)	(79,937)	(73,956)	(79,162)	(79,162)	(-10,294)	(+5,206)	---	

1/ FY 1995 funding and the FY 1996 request for this program are contained in the account for the Office of the Assistant Secretary for Health.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995 Conference vs House	Senate Disc	Mand Disc
OFFICE FOR CIVIL RIGHTS:								
Federal funds.....	18,195	17,558	16,153	16,153	16,153	-2,042	---	D 46500
Trust funds.....	(4)	---	---	---	---	(-4)	---	TF 46550
Portion treated as budget authority.....	(3,776)	(3,602)	(3,314)	(3,314)	(3,314)	(-462)	---	TF* 46600
Total, Office for Civil Rights: Federal funds.....	18,195	17,558	16,153	16,153	16,153	-2,042	---	
Trust funds.....	(3,780)	(3,602)	(3,314)	(3,314)	(3,314)	(-466)	---	
Total.....	(21,975)	(21,160)	(19,467)	(19,467)	(19,467)	(-2,508)	---	
POLICY RESEARCH.....	9,403	12,278	9,000	9,000	9,000	-403	---	D 46950
Total, Office of the Secretary: Federal funds.....	176,496	174,887	217,985	214,144	223,144	+46,648	+5,159	+9,000
Trust funds.....	(51,465)	(31,854)	(27,565)	(30,612)	(30,612)	(-20,853)	(+3,047)	---
Total.....	(227,961)	(206,741)	(245,550)	(244,756)	(253,756)	(+25,795)	(+8,206)	(+9,000)
PUBLIC HEALTH & SOCIAL SERVICES EMERGENCY FUND.....	35,000	9,000	---	9,000	9,000	-26,000	+9,000	---
Total, Department of Health and Human Services: Federal Funds.....	179,546,934	200,475,428	197,456,742	198,099,790	197,433,251	+17,886,317	-23,491	-666,539
Current year, FY 1995 / 1996.....	(147,099,217)	(168,200,874)	(166,501,392)	(166,144,440)	(166,477,901)	(+19,378,684)	(-23,491)	(+333,461)
FY 1996 / 1997.....	(32,447,717)	(32,274,554)	(30,955,350)	(31,955,350)	(30,955,350)	(-1,492,367)	---	(-1,000,000)
Trust funds.....	(2,235,285)	(2,291,444)	(2,158,375)	(2,142,018)	(2,161,422)	(-73,863)	(+3,047)	(+19,404)

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate Disc	Mand
TITLE III - DEPARTMENT OF EDUCATION									
EDUCATION REFORM 1/ 2/									
Goals 2000: Educate America Act:									
State & local educ systemic improvement grants....	361,870	693,500	---	340,000	340,000	-21,870	+340,000	---	D 48050
National programs.....	---	46,500	---	---	---	---	---	---	D 48100
Parental assistance.....	10,000	10,000	---	10,000	10,000	---	+10,000	---	D 48150
Subtotal, Goals 2000.....	371,870	750,000	---	350,000	350,000	-21,870	+350,000	---	
School-to-work opportunities:									
State grants and local partnerships.....	115,625	185,000	95,000	186,000	180,000	+64,375	+85,000	-6,000	D 48300
National programs.....	6,875	15,000	---	---	---	-6,875	---	---	D 48350
Subtotal.....	122,500	200,000	95,000	186,000	180,000	+57,500	+85,000	-6,000	
Total.....	494,370	950,000	95,000	536,000	530,000	+35,630	+435,000	-6,000	

1/ Forward funded.

2/ Of the total for this account, the Senate bill delayed the availability of \$151,000,000 until October 1, 1996.

NOTE: All Education accounts are current funded unless otherwise noted.



## EDUCATION FOR THE DISADVANTAGED 1/ 2/

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs FY 1995	Senate	Mand Disc
Grants to local education agencies: 3/									
Basic grants, forward funded.....	5,968,235	5,263,363	4,946,005	5,963,591	5,982,339	+14,104	+1,036,334	+18,748	D 48700
Basic grants, current funded.....	---	3,500	3,500	3,500	3,500	+3,500	---	---	D 48705
Subtotal, Basic grants.....	5,968,235	5,266,863	4,949,505	5,967,091	5,985,839	+17,604	+1,036,334	+18,748	
Concentration grants.....	663,137	663,137	549,945	806,602	677,241	+14,104	+127,296	-129,361	D 48750
Targeted grants.....	---	1,000,000	---	---	---	---	---	---	D 48800
Setaside for BIA/outlying areas.....	66,984	70,000	55,550	60,194	67,268	+284	+11,718	+7,074	D 48850
Subtotal.....	6,698,356	7,000,000	5,555,000	6,833,887	6,730,348	+31,992	+1,175,348	-103,539	
Capital expenses for private school children.....	41,434	20,000	38,119	38,119	38,119	-3,315	---	---	D 49100
Even start.....	102,024	---	102,024	102,024	102,024	---	---	---	D 49150
State agency programs:									
Migrant.....	305,475	310,000	305,475	305,475	305,475	---	---	---	D 49250
Neglected and delinquent / high risk youth.....	39,311	40,000	35,656	35,656	39,311	---	+3,655	+3,655	D 49300
State school improvement.....	27,560	35,146	---	---	---	-27,560	---	---	D 49400
Demonstration of innovative practices.....	---	25,146	---	---	---	---	---	---	D 49450
Evaluation.....	3,684	11,000	3,370	3,370	3,370	-294	---	---	D 49500
Total, ESEA.....	7,217,824	7,441,292	6,039,644	7,318,531	7,218,647	+823	+1,179,003	-99,884	

1/ All programs in this account are forward funded with the exception of current funded basic grants, Title I evaluation, High School Equivalency Program and the College Assistance Migrant Program.

2/ Of the total for this account, the Senate bill delayed the availability of \$814,489,000 until October 1, 1996.

3/ Availability of \$1,298,386,000 of the conference agreement total is delayed until October 1, 1996.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs FY 1995	Senate	Mand Disc
Migrant education:									
High school equivalency program.....	8,088	---	7,441	7,441	7,441	-647	---	---	D 49700
College assistance migrant program.....	2,204	---	2,028	2,028	2,028	-176	---	---	D 49750
Subtotal, migrant education.....	10,292	---	9,469	9,469	9,469	-823	---	---	
Total, Compensatory education programs.....	7,228,116	7,441,292	6,049,113	7,328,000	7,228,116	---	+1,179,003	-99,884	
Subtotal, forward funded.....	(7,214,160)	(7,426,792)	(6,032,774)	(7,311,661)	(7,211,777)	(-2,383)	(+1,179,003)	(-99,884)	
IMPACT AID 1/									
Basic support payments.....	631,707	550,000	583,011	581,170	581,707	-50,000	-1,304	+537	D 50050
Payments for children with disabilities.....	40,000	40,000	40,000	40,000	40,000	---	---	---	D 50100
Payments for heavily impacted districts (sec. f).....	40,000	20,000	50,000	50,000	50,000	+10,000	---	---	D 50550
Subtotal.....	711,707	610,000	673,011	671,170	671,707	-40,000	-1,304	+537	
Facilities maintenance (sec. 8008).....	---	2,000	---	---	---	---	---	---	D 50650
Payments for increases in military dep (sec. 8006)....	---	2,000	---	---	---	---	---	---	D 50700
Construction (sec. 8007).....	---	5,000	5,000	5,000	5,000	+5,000	---	---	D 50750
Payments for Federal property (Sec. 8002).....	16,293	---	14,989	14,989	16,293	---	+1,304	+1,304	D 50850
Total, impact aid.....	728,000	619,000	693,000	691,159	693,000	-35,000	---	+1,841	

1/ Figures do not include \$35,000,000 provided for Impact Aid basic support payments in the 1996 House National Security Appropriations Bill.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
SCHOOL IMPROVEMENT PROGRAMS 2/									
Professional development 1/.....	251,298	735,000	275,000	275,000	275,000	+23,702	---	---	D 51155
Program innovation 1/.....	347,250	---	275,000	275,000	275,000	-72,250	---	---	D 51157
Safe and drug-free schools and communities: State grants 1/.....	440,981	465,000	200,000	400,000	440,981	---	+240,981	+40,981	D 51600
National programs.....	25,000	35,000	---	---	25,000	---	+25,000	+25,000	D 51700
Subtotal, Safe & drug-free schools & communities	465,981	500,000	200,000	400,000	465,981	---	+265,981	+65,981	
Education infrastructure 1/.....	---	35,000	---	---	---	---	---	---	D 51850
Inexpensive book distribution (RIF).....	10,300	10,300	10,300	10,300	10,300	---	---	---	D 51900
Arts in education.....	10,500	10,000	9,000	9,000	9,000	-1,500	---	---	D 51950
Law-Related Education.....	4,500	---	---	---	---	-4,500	---	---	D 52050
Christa McAuliffe fellowships.....	1,946	---	---	---	---	-1,946	---	---	D 52100

1/ Forward funded.

2/ Of the total for this account, the Senate bill delayed the availability of \$208,000,000 until October 1, 1996.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs FY 1995	House	Senate	Mand Disc
Other school improvement programs:										
Magnet schools assistance.....	111,519	111,519	95,000	95,000	95,000	-16,519	---	---	---	D 52250
Educational support services for homeless children and youth 1/.....	28,811	30,000	23,000	23,000	23,000	-5,811	---	---	---	D 52300
Women's educational equity.....	3,967	4,000	---	---	---	-3,967	---	---	---	D 52350
Training and advisory services (Civil Rights IV-A)	21,412	14,000	7,334	7,334	7,334	-14,078	---	---	---	D 52400
Dropout prevention demonstrations.....	12,000	---	---	---	---	-12,000	---	---	---	D 52450
Ellender fellowships/Close up 1/.....	3,000	---	---	2,760	1,500	-1,500	+1,500	-1,260	D	52500
Education for Native Hawaiians.....	9,000	9,000	12,000	12,000	12,000	+3,000	---	---	D	52550
Foreign language assistance.....	10,912	10,912	10,039	10,039	10,039	-873	---	---	D	52600
Training in early childhood education & violence counseling (HEA V-F).....	---	9,600	---	---	---	---	---	---	D	52700
Charter schools.....	6,000	20,000	8,000	16,000	18,000	+12,000	+10,000	+2,000	D	52750
Subtotal, other school improvement programs.....	206,621	209,031	155,373	166,133	166,873	-39,748	+11,500	+740		
Technical assistance for improving ESFA programs:										
Comprehensive regional assistance centers.....	29,641	55,000	21,554	21,554	21,554	-8,087	---	---	D	52900
Total, School improvement programs.....	1,328,037	1,554,331	946,227	1,156,987	1,223,708	-104,329	+277,481	+66,721		
Subtotal, forward funded.....	(1,071,340)	(1,265,000)	(773,000)	(975,760)	(1,015,481)	(-55,859)	(+242,481)	(+39,721)		
VIOLENT CRIME REDUCTION PROGRAM										
FAMILY AND COMMUNITY ENDEAVOR SCHOOLS.....	---	31,000	---	---	---	---	---	---	D	53250

1/ Forward funded.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
BILINGUAL AND IMMIGRANT EDUCATION									
Bilingual education:									
Instructional services.....	117,190	155,690	100,000	100,000	128,000	+10,810	+28,000	+28,000	D 53500
Support services.....	14,330	15,330	---	---	---	-14,330	---	---	D 53550
Professional development.....	25,180	28,980	---	---	---	-25,180	---	---	D 53600
Immigrant education.....	50,000	100,000	50,000	50,000	50,000	---	---	---	D 53650
Total.....	206,700	300,000	150,000	150,000	178,000	-28,700	+28,000	+28,000	
SPECIAL EDUCATION									
State grants: 1/ Proposed legis: Grants for Special Education.....	---	2,772,460	---	---	---	---	---	---	D 53950
Grants to States part 'b'.....	2,322,915	---	2,323,837	2,323,837	2,323,837	+922	---	---	D 54000
Preschool grants.....	360,265	---	360,409	360,409	360,409	+144	---	---	D 54050
Grants for infants and families.....	315,632	315,632	315,754	315,754	315,754	+122	---	---	D 54100
Subtotal, State grants.....	2,998,812	3,088,092	3,000,000	3,000,000	3,000,000	+1,188	---	---	

1/ Forward funded.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
<b>Proposed legis: Program Support and Improvement:</b>									
Research and demonstrations.....	---	63,000	---	---	---	---	---	---	D 54250
Technical assistance and systems change.....	---	50,000	---	---	---	---	---	---	D 54300
Professional development.....	---	97,000	---	---	---	---	---	---	D 54350
Parent training.....	---	14,534	---	---	---	---	---	---	D 54400
Technology development and support.....	---	29,500	---	---	---	---	---	---	D 54450
<b>Subtotal, Proposed legislation.....</b>	<b>---</b>	<b>254,034</b>	<b>---</b>	<b>---</b>	<b>---</b>	<b>---</b>	<b>---</b>	<b>---</b>	<b>---</b>
<b>Special purpose funds:</b>									
Deaf-blindness.....	12,832	---	12,832	12,832	12,832	---	---	---	D 54800
Serious emotional disturbance.....	4,147	---	4,147	4,147	4,147	---	---	---	D 54850
Severe disabilities.....	10,030	---	10,030	10,030	10,030	---	---	---	D 54900
Early childhood education.....	25,167	---	25,167	25,167	25,167	---	---	---	D 54950
Secondary and transitional services.....	23,966	---	23,966	23,966	23,966	---	---	---	D 55000
Postsecondary education.....	8,839	---	8,839	8,839	8,839	---	---	---	D 55050
Innovation and development.....	20,635	---	14,000	14,000	14,000	-6,635	---	---	D 55100
Media and captioning services.....	19,142	---	19,142	19,142	19,142	---	---	---	D 55150
Technology applications.....	10,862	---	9,993	9,993	9,993	-869	---	---	D 55200
Special studies.....	4,160	---	3,827	3,827	3,827	-333	---	---	D 55250
Personnel development.....	91,339	---	91,339	91,339	91,339	---	---	---	D 55300
Parent training.....	13,535	---	13,535	13,535	13,535	---	---	---	D 55350
Clearinghouses.....	2,162	---	1,989	1,989	1,989	-173	---	---	D 55400
Regional resource centers.....	7,218	---	6,641	6,641	6,641	-577	---	---	D 55450
<b>Subtotal, Special purpose funds.....</b>	<b>254,034</b>	<b>---</b>	<b>245,447</b>	<b>245,447</b>	<b>245,447</b>	<b>-8,587</b>	<b>---</b>	<b>---</b>	<b>---</b>
<b>Total, Special education.....</b>	<b>3,252,846</b>	<b>3,342,126</b>	<b>3,245,447</b>	<b>3,245,447</b>	<b>3,245,447</b>	<b>-7,399</b>	<b>---</b>	<b>---</b>	<b>---</b>

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
REHABILITATION SERVICES AND DISABILITY RESEARCH									
Vocational rehabilitation State grants.....	2,054,145	2,118,834	2,118,834	2,118,834	2,118,834	+64,689	---	---	M 55730
Tech assistance to States.....	---	1,000	1,000	1,000	1,000	+1,000	---	---	M 55800
Client assistance State grants.....	9,824	10,119	10,119	10,119	10,119	+295	---	---	M 55850
Training.....	39,629	39,629	39,629	39,629	39,629	---	---	---	M 55900
Special demonstration programs.....	30,558	23,942	23,942	23,942	27,442	-3,116	+3,500	+3,500	M 55950
Migratory workers.....	1,421	1,421	1,421	1,421	1,421	---	---	---	M 56000
Recreational programs.....	2,596	2,596	2,596	2,596	2,596	---	---	---	M 56050
Protection and advocacy of individual rights.....	7,456	7,456	7,456	7,456	7,456	---	---	---	M 56100
Projects with industry.....	22,071	22,071	22,071	22,071	22,071	---	---	---	M 56150
Supported employment State grants.....	36,536	38,152	38,152	38,152	38,152	+1,616	---	---	M 56200
Independent living: State grants.....	21,859	21,859	21,859	21,859	21,859	---	---	---	M 56300
Centers.....	40,533	41,749	41,749	41,749	41,749	+1,216	---	---	M 56350
Services for older blind individuals.....	8,952	8,952	8,952	8,952	8,952	---	---	---	M 56400
Subtotal, Independent living.....	71,344	72,560	72,560	72,560	72,560	+1,216	---	---	
Evaluation.....	1,587	1,587	1,587	1,587	1,587	---	---	---	M 56500
Helen Keller National Center for Deaf-Blind Youths & Adults.....	6,936	7,144	7,144	7,144	7,144	+208	---	---	M 56600
National Institute on Disability & Rehabilitation Research.....	70,000	70,000	70,000	70,000	70,000	---	---	---	M 56700
Subtotal, mandatory programs.....	2,354,103	2,416,511	2,416,511	2,416,511	2,420,011	+65,908	+3,500	+3,500	
Assistive technology.....	39,249	40,426	36,109	36,109	36,109	-3,140	---	---	D 56800
Total, Rehabilitation services.....	2,393,352	2,456,937	2,452,620	2,452,620	2,456,120	+62,768	+3,500	+3,500	

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Mand Disc
SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES								
AMERICAN PRINTING HOUSE FOR THE BLIND.....	6,680	6,680	6,680	6,680	6,680	---	---	D 57150
NATIONAL TECHNICAL INSTITUTE FOR THE DEAF:								
Consolidated account.....	---	43,041	42,180	42,180	42,180	+42,180	---	D 57250
Operations.....	42,705	---	---	---	---	-42,705	---	D 57300
Endowment grant.....	336	---	---	---	---	-336	---	D 57350
Construction.....	150	---	---	---	---	-150	---	D 57400
Subtotal.....	43,191	43,041	42,180	42,180	42,180	-1,011	---	
GALLAUDET UNIVERSITY:								
Consolidated account.....	---	80,030	77,629	77,629	77,629	+77,629	---	D 57550
University programs.....	54,244	---	---	---	---	-54,244	---	D 57600
Elementary and secondary education programs.....	24,786	---	---	---	---	-24,786	---	D 57650
Endowment grant.....	1,000	---	---	---	---	-1,000	---	D 57700
Subtotal.....	80,030	80,030	77,629	77,629	77,629	-2,401	---	
Total, Special institutions for persons with disabilities.....	129,901	129,751	126,489	126,489	126,489	-3,412	---	



	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
VOCATIONAL AND ADULT EDUCATION 1/ 2/									
Vocational education:									
Proposed legis: State grants.....	---	1,141,088	---	---	---	---	---	---	D 58000
Basic State grants.....	972,750	---	890,000	972,750	972,750	---	+82,750	---	D 58050
Community - based organizations 3/.....	---	---	---	---	---	---	---	---	D 58100
Consumer and homemaking education 3/.....	---	---	---	---	---	---	---	---	D 58150
Tech-Prep education.....	108,000	---	100,000	100,000	100,000	-8,000	---	---	D 58200
Tribally controlled postsecondary vocational institutions.....	2,919	---	2,919	2,919	2,919	---	---	---	D 58300
State councils.....	8,848	---	---	---	---	-8,848	---	---	D 58350
National programs:									
Proposed legis: National programs.....	---	37,000	---	---	---	---	---	---	D 58450
Research.....	6,851	---	5,000	5,000	5,000	-1,851	---	---	D 58500
Demonstrations 3/.....	---	---	---	---	---	---	---	---	D 58550
National occupational information coordinating committee.....	4,250	---	---	---	---	-4,250	---	---	D 58650
Subtotal, national programs.....	11,101	37,000	5,000	5,000	5,000	-6,101	---	---	
Subtotal, Vocational education.....	1,103,618	1,178,088	997,919	1,080,669	1,080,669	-22,949	+82,750	---	

1/ All programs are forward funded with the exception of Tribally Controlled Postsecondary Vocational Institutions.

2/ Of the total for this account, the Senate bill delayed the availability of \$82,750,000 until October 1, 1996.

3/ FY 1995 funding for this program was rescinded in P.L. 104-19.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
Adult education:									
State activities:									
Proposed legislation: State grants.....	---	479,487	---	---	---	---	---	---	D 58950
State programs.....	252,345	---	250,000	250,000	250,000	-2,345	---	---	D 59000
Subtotal, State activities.....	252,345	479,487	250,000	250,000	250,000	-2,345	---	---	
National programs:									
Proposed legislation: National programs.....	---	11,000	---	---	---	---	---	---	D 59150
Evaluation and technical assistance.....	3,900	---	---	---	---	-3,900	---	---	D 59200
National Institute for Literacy.....	4,862	---	4,869	4,869	4,869	7	---	---	D 59250
Subtotal, National programs.....	8,762	11,000	4,869	4,869	4,869	-3,893	---	---	
State literacy resource centers 1/.....	---	---	---	---	---	---	---	---	D 59350
Workplace literacy partnerships.....	12,736	---	---	---	---	-12,736	---	---	D 59400
Literacy training for homeless adults 1/.....	---	---	---	---	---	---	---	---	D 59450
Literacy programs for prisoners.....	5,100	---	4,346	5,100	4,723	-377	+377	-377	D 59500
Subtotal, adult education.....	278,943	490,487	259,215	259,969	259,592	-19,351	+377	-377	
Total, Vocational and adult education.....	1,382,561	1,668,575	1,257,134	1,340,638	1,340,261	-42,300	+83,127	-377	

1/ FY 1995 funding for this program was rescinded in P.L. 104-19.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate Disc
STUDENT FINANCIAL ASSISTANCE								
Federal Pell Grants: Regular program 2/.....	6,178,680	6,217,125	5,423,331	4,814,000	4,914,000	-1,264,680	-509,331	+100,000 D 59900
Carryover adjustment.....	(-1,304,000)	(372,025)	(-23,331)	(1,020,000)	(869,000)	(+2,173,000)	(+892,331)	(-151,000) NA 59905
Total, funding available for Pell Grants.....	4,874,680	6,589,150	5,400,000	5,834,000	5,783,000	+908,320	+383,000	-51,000
Memo (non-add): Maximum grant.....	(2,340)	(2,500)	(2,440)	(2,500)	(2,470)	(+130)	(+30)	(-30) NA 60000
Memo (non-add): Outlay effect for FY96 1/.....	---	(1,302,517)	(1,281,000)	(1,124,600)	(1,301,000)	(+1,301,000)	(+20,000)	(+176,400) NA 60010
Benefits for participants in Operation Desert Storm (non-add).....	(3,165)	---	---	---	---	(-3,165)	---	---
Subtotal, Pell Grants - New BA Current law.....	6,178,680	6,217,125	5,423,331	4,814,000	4,914,000	-1,264,680	-509,331	+100,000
Proposed legislation: Pell Grants (non-add):								
Base grants, degree candidates.....	(4,351,578)	(4,087,759)	---	---	---	(-4,351,578)	---	---
Increment for increase in max from \$2500 to \$2620.	---	(384,378)	---	---	---	---	---	---
Skill grants, non-degree candidates.....	(1,827,102)	(2,129,366)	---	---	---	(-1,827,102)	---	---
Subtotal, Proposed legis (non-add).....	(6,178,680)	(6,601,503)	---	---	---	(-6,178,680)	---	---

1/ The House version of H.R. 3019 caps 1995 Pell Grant participation at 3,650,000 students. The Senate cap is 3,634,000 students. The Conference agreement includes the House provision.

2/ Conference includes a rescission for -\$53,446,000 that is included as part of Title III in H.R. 3019.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
Federal supplemental educational opportunity grants...	583,407	583,407	583,407	583,407	583,407	---	---	---	D 60525
Federal work-study.....	616,508	616,508	616,508	616,508	616,508	---	---	---	D 60550
Federal Perkins loans:									
Capital contributions.....	158,000	158,000	---	158,000	93,297	-64,703	+93,297	-64,703	D 60650
Loan cancellations.....	18,000	20,000	20,000	20,000	20,000	+2,000	---	---	D 60750
Subtotal, Federal Perkins loans.....	176,000	178,000	20,000	178,000	113,297	-62,703	+93,297	-64,703	
State student incentive grants.....	63,375	31,375	---	63,375	31,375	-32,000	+31,375	-32,000	D 60850
State postsecondary review program.....	---	25,000	---	---	---	---	---	---	D 60900
Total, Student financial assistance.....	7,617,970	7,651,415	6,643,246	6,255,290	6,258,587	-1,359,383	-384,659	+3,297	
FEDERAL FAMILY EDUCATION LOANS PROGRAM									
(EXISTING GUARANTEED STUDENT LOANS PROGRAM)									
Federal education loans: Federal administration.....	62,096	30,066	30,066	30,066	30,066	-32,030	---	---	D 61750
Total Outstanding Loan Volume (Current Law) (non-add).....	(85,274,999)	(89,413,915)	(85,274,999)	(85,274,999)	(85,274,999)	---	---	---	NA 61775
Total Outstanding Loan Volume (Adm Proposal) (non-add).....	(85,274,999)	(85,928,408)	(89,413,915)	(89,413,915)	(89,413,915)	(+4,138,916)	---	---	NA 61800
FEDERAL DIRECT STUDENT LOAN PROGRAM									
Mandatory administrative costs (indefinite).....	(283,565)	(550,000)	(320,000)	(460,000)	(436,000)	(+152,435)	(+116,000)	(-24,000)	NA 61900
Permanent authority (direct loan administration).....	-61,000	---	---	---	---	+61,000	---	---	D 61910
Total Outstanding Loan Volume (Current Law) (non-add).....	(5,385,699)	(17,710,285)	(17,710,285)	(17,710,285)	(17,710,285)	(+12,324,586)	---	---	NA 61920
Total Outstanding Loan Volume (Adm Proposal) (non-add).....	(5,385,699)	(21,195,791)	---	---	---	(-5,385,699)	---	---	NA 61930

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
HIGHER EDUCATION									
Aid for institutional development:									
Strengthening institutions.....	80,000	40,000	55,450	55,450	55,450	-24,550	---	---	D 62050
Hispanic serving institutions.....	12,000	12,000	10,800	10,800	10,800	-1,200	---	---	D 62100
Strengthening historically black colleges & univ..	108,990	108,990	108,990	108,990	108,990	---	---	---	D 62150
Strengthening historically black grad institutions	19,606	19,606	19,606	19,606	19,606	---	---	---	D 62200
Endowment challenge grants:									
Endowment grants.....	6,045	---	---	---	---	-6,045	---	---	D 62300
HBCU set-aside.....	2,015	2,015	---	---	---	-2,015	---	---	D 62350
Evaluation.....	1,000	---	---	---	---	-1,000	---	---	D 62400
Subtotal, Institutional development.....	229,656	182,611	194,846	194,846	194,846	-34,810	---	---	

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995 Conference vs House	Senate Disc	Mand
Program development:								
Fund for the Improvement of Postsecondary Educ.....	17,543	17,543	15,000	15,000	15,000	-2,543	---	D 63000
Native Hawaiian and Alaska Native Culture Arts Development.....	500	---	---	---	---	-500	---	D 63100
Eisenhower leadership program.....	1,080	---	---	---	---	-1,080	---	D 63150
Minority teacher recruitment.....	2,458	3,000	2,212	2,212	2,212	-246	---	D 63200
Minority science improvement.....	5,839	5,839	5,255	5,255	5,255	-584	---	D 63250
Community service projects.....	1,423	---	---	---	---	-1,423	---	D 63300
International educ & foreign language studies:								
Domestic programs.....	52,283	52,283	50,481	50,481	50,481	-1,802	---	D 63400
Overseas programs.....	5,790	5,790	4,750	4,750	4,750	-1,040	---	D 63450
Institute for International Public Policy.....	1,000	1,000	920	920	920	-80	---	D 63500
Subtotal, International education.....	59,073	59,073	56,151	56,151	56,151	-2,922	---	
Cooperative education.....	6,927	---	---	---	---	-6,927	---	D 63600
Law school clinical experience.....	13,222	---	5,500	5,500	5,500	-7,722	---	D 63650
Urban community service.....	10,000	---	9,200	9,200	9,200	-800	---	D 63700
Student financial aid database & info. line 1/...	---	---	---	---	---	---	---	D 63750
Subtotal, Program development.....	118,065	85,455	93,318	93,318	93,318	-24,747	---	
Construction:								
Interest subsidy grants, prior year construction..	17,512	16,712	16,712	16,712	16,712	-800	---	D 63900
Special grants:								
Bethune Cookman College Fine Arts Center.....	4,000	---	3,680	3,680	3,680	-320	---	D 64000
Federal TRIO programs.....	463,000	463,000	463,000	463,000	463,000	---	---	D 64050
Early intervention scholarships and partnerships..	3,108	---	3,108	3,108	3,108	---	---	D 64150

1/ FY 1995 funding for this program was rescinded in  
in P.L. 104-19.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
Scholarships:									
Byrd honors scholarships.....	29,117	38,117	29,117	29,117	29,117	---	---	---	D 64400
National science scholars.....	3,303	---	---	---	---	-3,303	---	---	D 64450
National academy of science, space & technology 1/	---	---	---	---	---	---	---	---	D 64500
Douglas teacher scholarships.....	299	---	---	---	---	-299	---	---	D 64550
Olympic scholarships 1/.....	---	---	---	---	---	---	---	---	D 64600
Teacher corps 1/.....	---	---	---	---	---	---	---	---	D 64650
Subtotal, Scholarships.....	32,719	38,117	29,117	29,117	29,117	-3,602	---	---	
Graduate fellowships:									
Harris fellowships.....	10,144	---	---	---	---	-10,144	---	---	D 64800
Javits fellowships.....	6,845	---	5,931	5,931	5,931	-914	---	---	D 64850
Graduate assistance in areas of national need.....	27,252	27,252	27,252	27,252	27,252	---	---	---	D 64900
Faculty development fellowships.....	212	3,732	---	---	---	-212	---	---	D 64950
Subtotal, Graduate fellowships.....	44,453	30,984	33,183	33,183	33,183	-11,270	---	---	
School, college & university partnerships.....	3,893	3,893	---	---	---	-3,893	---	---	D 65050
Legal training for the disadvantaged (CLEO).....	2,964	---	---	---	---	-2,964	---	---	D 65100
Total, Higher education.....	919,370	820,772	836,964	836,964	836,964	-82,406	---	---	

1/ FY 1995 funding for this program was rescinded in P.L. 104-19.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
HOWARD UNIVERSITY									
Academic program.....	156,530	158,330	145,182	145,182	152,859	-3,671	+7,677	+7,677	D 65300
Endowment program:									
Regular program.....	3,530	3,530	---	---	---	-3,530	---	---	D 65400
Clinical law center (includes construction).....	5,500	---	---	---	---	-5,500	---	---	D 65450
Research.....	4,614	4,614	---	---	---	-4,614	---	---	D 65500
Howard University Hospital.....	29,489	29,489	29,489	29,489	29,489	---	---	---	D 65550
Construction.....	5,000	---	---	---	---	-5,000	---	---	D 65650
Total, Howard University.....	204,663	195,963	174,671	174,671	182,348	-22,315	+7,677	+7,677	
COLLEGE HOUSING & ACADEMIC FACILITIES LOANS PROGRAM:									
Federal administration.....	757	1,027	700	700	700	-57	---	---	D 65950
Loan subsidies 1/.....	---	---	---	---	---	---	---	---	D 66000
Loan limitation (non-add) 1/.....	---	---	---	---	---	---	---	---	NA 66050
HISTORICALLY BLACK COLLEGE AND UNIVERSITY									
CAPITAL FINANCING PROGRAM									
Federal administration.....	346	166	166	166	166	-180	---	---	D 66350

1/ FY 1995 funding for this program was rescinded in P.L. 104-19.



	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate Disc
EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT 1/								
Research and statistics:								
Research.....	86,200	97,600	107,600	107,600	56,600	-29,600	-51,000	D 66550
Regional education laboratories.....	---	---	---	---	51,000	+51,000	+51,000	D 66575
Statistics.....	48,153	57,000	46,227	46,227	46,227	-1,926	---	D 66600
Assessment:								
National assessment.....	29,757	34,500	29,757	29,757	29,757	---	---	D 66700
National assessment governing board.....	2,995	3,500	2,880	2,880	2,880	-115	---	D 66750
Subtotal, Assessment.....	32,752	38,000	32,637	32,637	32,637	-115	---	
Subtotal, Research and statistics.....	167,105	192,600	186,464	186,464	186,464	+19,359	---	
Fund for the Improvement of Education.....	36,750	36,750	37,624	37,624	37,624	+874	---	D 66900
International education exchange (title VI).....	3,000	3,000	5,000	5,000	5,000	+2,000	---	D 66950
21st century community learning centers.....	750	---	750	750	750	---	---	D 67200
Civic Education.....	4,463	4,463	4,000	4,000	4,000	-463	---	D 67250
Eisenhower professional development national activities.....	21,356	35,000	18,000	18,000	18,000	-3,356	---	D 67350
Eisenhower regional mathematics & science education consortia.....	15,000	15,000	15,000	15,000	15,000	---	---	D 67500
Javits gifted and talented education.....	4,921	9,521	3,000	3,000	3,000	-1,921	---	D 67650
National writing project.....	3,212	---	2,955	2,955	2,955	-257	---	D 67700
National Diffusion Network.....	11,780	14,480	---	---	---	-11,780	---	D 67750

1/ Of the total for this account, the Senate bill delayed the availability of \$10,000,000 until October 1, 1996.

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
Education technology:									
Technology for education.....	22,500	83,000	25,000	35,000	48,000	+25,500	+23,000	+13,000	D 68175
Star schools.....	25,000	30,000	23,000	23,000	23,000	-2,000	---	---	D 68200
Ready to learn television.....	7,000	7,000	6,440	6,440	6,440	-560	---	---	D 68250
Telecommunications demo project for mathematics...	1,125	2,250	1,035	1,035	1,035	-90	---	---	D 68300
Subtotal, Education technology.....	55,625	122,250	55,475	65,475	78,475	+22,850	+23,000	+13,000	
Total, ERSI.....	323,962	433,064	328,268	338,268	351,268	+27,306	+23,000	+13,000	

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
LIBRARIES									
Public libraries:									
Services.....	83,227	89,135	92,636	92,636	92,636	+9,409	---	---	D 68700
Construction.....	17,792	17,792	16,369	16,369	16,369	-1,423	---	---	D 68750
Interlibrary cooperation.....	23,700	---	18,000	18,000	18,000	-5,700	---	---	D 68800
Library literacy programs.....	8,026	---	---	---	---	-8,026	---	---	D 68850
Library education and training.....	4,916	---	2,500	2,500	2,500	-2,416	---	---	D 68900
Research and demonstrations.....	6,500	---	2,000	2,000	3,000	-3,500	+1,000	+1,000	D 68950
Total, Libraries.....	144,161	106,927	131,505	131,505	132,505	-11,656	+1,000	+1,000	
DEPARTMENTAL MANAGEMENT									
PROGRAM ADMINISTRATION.....	355,476	370,844	327,319	327,319	327,319	-28,157	---	---	D 69250
HEADQUARTERS RENOVATION 1/.....	---	20,000	7,000	7,000	7,000	+7,000	---	---	D 69275
Proposed leg: GI Bill savings (non-add).....	---	(-1,729)	---	---	---	---	---	---	NA 69300
OFFICE FOR CIVIL RIGHTS.....	58,236	62,784	55,451	55,451	55,451	-2,785	---	---	D 69350
OFFICE OF THE INSPECTOR GENERAL.....	30,390	34,066	28,654	28,654	28,654	-1,736	---	---	D 69400
Total, Departmental management.....	444,102	487,694	418,424	418,424	418,424	-25,678	---	---	
=====									
Total, Department of Education.....	26,800,310	28,220,106	23,579,040	25,213,394	25,232,169	-1,568,141	+1,653,129	+1,653,129	+18,775

1/ Funds available for 3 years.

TITLE IV - RELATED AGENCIES										----- Conference vs -----				Mand	
	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	House	Senate	Disc						
ARMED FORCES RETIREMENT HOME															
Operation and maintenance (trust fund limitation):															
Soldiers' and Airmen's Home.....	45,248	45,090	---	---	---	-45,248	---	---	---	D	70225				
United States Naval Home.....															
	11,015	11,979	---	---	---	-11,015	---	---	---	D	70250				
Consolidated account.....															
	---	---	54,017	54,017	54,017	+54,017	---	---	---	D	70260				
Subtotal, O & M.....															
	56,263	57,069	54,017	54,017	54,017	-2,246	---	---	---						
Capital program (trust fund limitation):															
Soldiers' and Airmen's Home.....	2,500	1,483	---	---	---	-2,500	---	---	---	D	70325				
United States Naval Home.....															
	406	568	---	---	---	-406	---	---	---	D	70350				
Consolidated account.....															
	---	---	1,954	1,954	1,954	+1,954	---	---	---	D	70360				
Subtotal, capital.....															
	2,906	2,051	1,954	1,954	1,954	-952	---	---	---						
Total, AFRH.....															
	59,169	59,120	55,971	55,971	55,971	-3,198	---	---	---						
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE															
Domestic Volunteer Service Programs (formerly Action):															
Volunteers in Service to America:															
VISTA operations.....	42,676	53,800	39,262	39,262	41,385	-1,291	---	+2,123	---	D	70500				
VISTA Literacy Corps.....															
	5,024	6,200	---	5,024	---	-5,024	---	---	---	D	70525				
Subtotal, VISTA.....															
	47,700	60,000	39,262	44,286	41,385	-6,315	---	+2,123	---						
National Senior Volunteer Corps:															
Foster Grandparents Program.....	67,812	78,810	62,237	62,237	62,237	-5,575	---	---	---	D	70600				
Senior Companion Program.....															
	31,244	43,090	31,155	31,155	31,155	-89	---	---	---	D	70625				
Retired Senior Volunteer Program.....															
	35,708	44,500	34,949	34,949	34,949	-759	---	---	---	D	70650				
Senior Demonstration Programs.....															
	1,000	2,000	---	---	---	-1,000	---	---	---	D	70675				
Subtotal, Senior Volunteers.....															
	135,764	168,400	128,341	128,341	128,341	-7,423	---	---	---						
Program Administration.....															
	31,160	34,500	28,667	28,667	28,667	-2,493	---	---	---	D	70750				
Total, Domestic Volunteer Service Programs.....															
	214,624	262,900	196,270	201,294	198,393	-16,231	---	+2,123	---						

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
Corporation for Public Broadcasting: FY98 (current request) with FY97 comparable.....	260,000	296,400	250,000	250,000	250,000	-10,000	---	---	D 70825
1997 advance (non-add) with FY96 comparable.....	(275,000)	(315,000)	(260,000)	(260,000)	(260,000)	(-15,000)	---	---	NA 70850
1996 advance (non-add) with FY95 comparable.....	(285,640)	(275,000)	(275,000)	(275,000)	(275,000)	(-10,640)	---	---	NA 70900
Rescissions:									
1995 funding.....	-7,000	---	---	---	---	+7,000	---	---	D 70950
1996 advance funding (non-add).....	(-37,000)	---	---	---	---	(+37,000)	---	---	NA 70960
1997 advance funding (non-add).....	(-55,000)	---	---	---	---	(+55,000)	---	---	NA 70970
Federal Mediation and Conciliation Service.....	31,344	33,290	32,896	32,396	32,896	+1,552	---	+500	D 71000
Federal Mine Safety and Health Review Commission.....	6,200	6,467	6,200	6,200	6,200	---	---	---	D 71025
National Commission on Libraries and Information Science.....	901	962	829	829	829	-72	---	---	D 71150
National Council on Disability.....	1,793	1,830	1,793	1,793	1,793	---	---	---	D 71325
National Education Goals Panel.....	---	2,785	1,000	1,000	1,000	+1,000	---	---	D 71350
National Education Standards & Improvement Council.....	---	3,000	---	---	---	---	---	---	D 71375
National Labor Relations Board.....	176,047	181,134	167,245	167,245	170,743	-5,304	+3,498	+3,498	D 71400
National Mediation Board.....	8,519	8,933	7,837	7,837	7,837	-682	---	---	D 71425
Occupational Safety and Health Review Commission.....	7,595	8,127	8,100	8,100	8,100	+505	---	---	D 71450
Physician Payment Review Commission (trust funds).....	(4,176)	(4,100)	(2,923)	(2,923)	(2,923)	(-1,253)	---	---	TF* 71475
Prospective Payment Assessment Commission (trust funds).....	(4,667)	(4,656)	(3,267)	(3,267)	(3,267)	(-1,400)	---	---	TF* 71525

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
SOCIAL SECURITY ADMINISTRATION									
PAYMENTS TO SOCIAL SECURITY TRUST FUNDS.....	25,094	22,641	22,641	22,641	22,641	-2,453	---	---	M 71725
ADDITIONAL ADMINISTRATIVE EXPENSES 1/.....	---	10,000	10,000	10,000	10,000	+10,000	---	---	M 71750
SPECIAL BENEFITS FOR DISABLED COAL MINERS									
Benefit payments.....	712,693	660,215	660,215	660,215	660,215	-52,478	---	---	M 71800
Administration.....	5,181	5,181	5,181	5,181	5,181	---	---	---	M 71825
Subtotal, Black Lung, FY 1996 program level....	717,874	665,396	665,396	665,396	665,396	-52,478	---	---	
Less funds advanced in prior year.....	-190,000	-180,000	-180,000	-180,000	-180,000	+10,000	---	---	M 71875
Total, Black Lung, current request, FY 1996.....	527,874	485,396	485,396	485,396	485,396	-42,478	---	---	
New advances, 1st quarter FY 1996 / 1997.....	180,000	170,000	170,000	170,000	170,000	-10,000	---	---	M 71925

1/ No-year availability for these funds related to sections 9704 & 9706 of the Internal Revenue Code of 1986.

SUPPLEMENTAL SECURITY INCOME									
	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
Federal benefit payments.....	25,435,739	23,548,636	23,548,636	23,548,636	23,548,636	-1,887,103	---	---	M 71975
Beneficiary services.....	143,400	176,400	176,400	176,400	176,400	+33,000	---	---	M 72000
Research and demonstration.....	27,700	6,700	6,700	8,200	8,200	-19,500	+1,500	---	M 72025
Administration.....	2,042,781	1,727,098	1,727,098	1,719,098	1,719,098	-323,683	-8,000	---	D 72075
Investment proposals:									
Automation investment initiative.....	67,000	138,159	103,000	55,000	55,000	-12,000	-48,000	---	D 72125
Disability investment initiative.....	280,000	267,000	252,000	147,678	98,178	-181,822	-153,822	-49,500	D 72150
Subtotal, SSI FY 1996 program level.....	27,996,620	25,863,993	25,813,834	25,655,012	25,605,512	-2,391,108	-208,322	-49,500	
Less funds advanced in prior year.....	-6,770,000	-7,060,000	-7,060,000	-7,060,000	-7,060,000	-290,000	---	---	M 72250
Subtotal, regular SSI current year, FY 1995 / 1996.....	21,226,620	18,803,993	18,753,834	18,595,012	18,545,512	-2,681,108	-208,322	-49,500	
Additional CDR funding.....	---	---	---	---	15,000	+15,000	+15,000	+15,000	D 72265
Total, SSI, current year, FY 1995 / 1996.....	21,226,620	18,803,993	18,753,834	18,595,012	18,560,512	-2,666,108	-193,322	-34,500	
New advance, 1st quarter, FY 1996 / 1997.....	7,060,000	9,260,000	9,260,000	9,260,000	9,260,000	+2,200,000	---	---	M 72300

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
LIMITATION ON ADMINISTRATIVE EXPENSES									
OASDI trust funds.....	(2,357,464)	(2,689,071)	(2,684,071)	(2,687,986)	(2,684,071)	(+326,607)	---	(-3,915)	TF 72425
HI/SMI trust funds.....	(735,575)	(902,233)	(864,099)	(864,099)	(864,099)	(+128,524)	---	---	TF* 72450
SSI.....	(2,042,781)	(1,727,098)	(1,727,098)	(1,719,098)	(1,719,098)	(-323,683)	(-8,000)	---	TF 72475
Subtotal, regular LAE.....	(5,135,820)	(5,318,402)	(5,275,268)	(5,271,183)	(5,267,268)	(+131,448)	(-8,000)	(-3,915)	
DI disability initiative.....	(40,000)	(267,000)	(155,000)	(259,322)	(289,322)	(+249,322)	(+134,322)	(+30,000)	TF 72525
SSI disability initiative.....	(280,000)	(267,000)	(252,000)	(147,678)	(98,178)	(-181,822)	(-153,822)	(-49,500)	TF 72550
Subtotal, Disability initiative.....	(320,000)	(534,000)	(407,000)	(407,000)	(387,500)	(+67,500)	(-19,500)	(-19,500)	
OASDI automation.....	(21,283)	(218,841)	(125,000)	(112,000)	(112,000)	(+90,717)	(-13,000)	---	TF 72600
SSI automation.....	(67,000)	(138,159)	(103,000)	(55,000)	(55,000)	(-12,000)	(-48,000)	---	TF 72625
Subtotal, automation initiative.....	(88,283)	(357,000)	(228,000)	(167,000)	(167,000)	(+78,717)	(-61,000)	---	
TOTAL, REGULAR LAE.....	(5,544,103)	(6,209,402)	(5,910,268)	(5,845,183)	(5,821,768)	(+277,665)	(-88,500)	(-23,415)	
Additional CDR funding.....	---	---	---	---	(60,000)	(+60,000)	(+60,000)	(+60,000)	TF 72680
TOTAL, LAE.....	(5,544,103)	(6,209,402)	(5,910,268)	(5,845,183)	(5,881,768)	(+337,665)	(-28,500)	(+36,585)	



	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
OFFICE OF INSPECTOR GENERAL									
Federal funds.....	2,408	6,964	4,816	4,816	4,816	+2,408	---	---	D 72725
Trust funds.....	(3,851)	(9,704)	(10,099)	(10,099)	(10,099)	(+6,248)	---	---	TF 72750
Portion treated as budget authority.....	(4,187)	(10,549)	(10,977)	(10,977)	(10,977)	(+6,790)	---	---	TF* 72775
Total, Office of the Inspector General:									
Federal funds.....	2,408	6,964	4,816	4,816	4,816	+2,408	---	---	
Trust funds.....	(8,038)	(20,253)	(21,076)	(21,076)	(21,076)	(+13,038)	---	---	
Total.....	(10,446)	(27,217)	(25,892)	(25,892)	(25,892)	(+15,446)	---	---	
Total, Social Security Administration:									
Federal funds.....	29,021,996	28,758,994	28,706,687	28,547,865	28,513,365	-508,631	-193,322	-34,500	
Current year FY 1995 / 1996.....	(21,781,996)	(19,328,994)	(19,276,687)	(19,117,865)	(19,083,365)	(-2,698,631)	(-193,322)	(-34,500)	
New advances, 1st quarter FY 1996 / 1997	(7,240,000)	(9,430,000)	(9,430,000)	(9,430,000)	(9,430,000)	(+2,190,000)	---	---	
Trust funds.....	(5,552,141)	(6,229,655)	(5,931,344)	(5,866,259)	(5,902,844)	(+350,703)	(-28,500)	(+36,585)	

	FY 1995 Comparable	FY 1996 Request	House	Senate	Conference	FY 1995	Conference vs House	Senate	Mand Disc
RAILROAD RETIREMENT BOARD									
Dual benefits payments account.....	254,000	239,000	239,000	239,000	239,000	-15,000	---	---	D 73050
Less income tax receipts on dual benefits.....	-19,000	-17,000	-17,000	-17,000	-17,000	+2,000	---	---	D 73075
Subtotal, Dual Benefits.....	235,000	222,000	222,000	222,000	222,000	-13,000	---	---	
Federal payment to the Railroad Retirement Account.....	300	300	300	300	300	---	---	---	M 73125
Limitation on administration: Consolidated account.....	---	(92,700)	---	(89,094)	---	---	---	(-89,094)	TF* 73175
Retirement.....	(73,803)	---	(73,561)	---	(73,169)	(-634)	(-392)	(+73,169)	TF* 73200
Unemployment.....	(17,013)	---	(17,255)	---	(16,786)	(-227)	(-469)	(+16,786)	TF* 73225
Subtotal, administration.....	(90,816)	(92,700)	(90,816)	(89,094)	(89,955)	(-861)	(-861)	(+861)	
Special management improvement fund..	(1,638)	(659)	(659)	(659)	(659)	(-979)	---	---	TF* 73275
Total, limitation on administration.....	(92,454)	(93,359)	(91,475)	(89,753)	(90,614)	(-1,840)	(-861)	(+861)	
Inspector General.....	(6,675)	(6,700)	(5,673)	(5,673)	(5,673)	(-1,002)	---	---	TF* 73325
United States Institute of Peace.....	11,500	11,500	11,500	11,500	11,500	---	---	---	D 73375
Total, Title IV, Related Agencies: Federal Funds (all years).....	30,027,988	29,857,742	29,668,628	29,514,330	29,480,927	-547,061	-187,701	-33,403	
Current year, FY 1995 / 1996.....	(22,527,988)	(20,131,342)	(19,988,628)	(19,834,330)	(19,800,927)	(-2,727,061)	(-187,701)	(-33,403)	
FY 1996 / 1997.....	(7,240,000)	(9,430,000)	(9,430,000)	(9,430,000)	(9,430,000)	(+2,190,000)	---	---	
FY 1997 / 1998.....	(260,000)	(296,400)	(250,000)	(250,000)	(250,000)	(-10,000)	---	---	
Trust funds.....	(5,660,113)	(6,338,470)	(6,034,682)	(5,967,875)	(6,005,321)	(+345,208)	(-29,361)	(+37,446)	
TITLE V									
1% Cap on performance awards (sec. 520).....	---	---	---	-30,500	-30,500	-30,500	-30,500	---	D 73970

DEPARTMENTS OF VETERANS AFFAIRS  
AND HOUSING AND URBAN DEVELOP-  
MENT AND INDEPENDENT AGENCIES

## SEC. 101(e)

The conferees agree that House report 104-384 is to be used as the guiding document for the departments, agencies, commissions, corporations, and offices under the jurisdiction of the House and Senate subcommittees on the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies, along with House report 104-201 and Senate report 104-140. The following explanations are to be taken as clarifications or supplements to the directions contained in House report 104-384, dated December 6, 1995 and Senate report 104-236 dated March 6, 1996:

TITLE I—DEPARTMENT OF VETERANS  
AFFAIRSDEPARTMENTAL ADMINISTRATION  
GENERAL OPERATING EXPENSES

Limits the amount of funds available for payroll costs of the Office of the Secretary to not exceed \$3,206,000, instead of \$2,766,000 as proposed by the House and deleting such limitation as proposed by the Senate. Deletes the salary limitations proposed by the House and stricken by the Senate for the Office of the Assistant Secretary for Policy and Planning, the Office of the Assistant Secretary for Congressional Affairs, and the Office of the Assistant Secretary for Public and Intergovernmental Affairs. The limitation of salary funds for the Office of the Secretary is the amount requested in the 1996 Budget and will support the current employment level.

## CONSTRUCTION, MAJOR PROJECTS

Deletes language proposing contingent appropriations of an additional \$70,100,000 for construction, major projects as proposed by the House and \$16,000,000 as proposed by the Senate. The approved major construction projects are as specified in House Report 104-384, the Conference Report and Joint Explanatory Statement of the Committee of Conference on H.R. 2099.

## ADMINISTRATIVE PROVISIONS

Inserts section 108 authorizing the construction of outpatient clinics in Brevard County, FL, Travis Air Force Base, CA, and Boston, MA; leases at Ft. Myers, FL and New York, NY; and a research facility at Portland, OR. The conferees urge the VA to review its options to acquire additional land for the expansion of the Camp Butler National Cemetery.

Inserts, as section 109, language designating the Walla Walla VA Medical Center as the Jonathan M. Wainwright Memorial VA Medical Center. The Senate proposed this language as a miscellaneous provision.

Deletes a miscellaneous provision as proposed by the Senate that would require the VA to develop a plan for the allocation of health care resources. This matter was addressed in amendment numbered 14 of House Report 104-384, the Joint Explanatory Statement of the Committee of Conference on H.R. 2099. The conferees note that the VA is currently developing the allocation plan.

TITLE II—DEPARTMENT OF HOUSING  
AND URBAN DEVELOPMENTANNUAL CONTRIBUTIONS FOR ASSISTED  
HOUSING

The conferees recommend decreasing the amount appropriated for annual contributions for assisted housing in H.R. 2099, from \$10,155,795,000 to \$9,818,795,000. The decrease of \$337,000,000 is comprised of three components. First, \$69,000,000 is taken from amounts available for property disposition activities associated with selling mortgages and properties acquired or held by the Fed-

eral Housing Administration (FHA). Despite the decrease, the conferees understand the reduction will not materially impact the Department's ability to meet its statutory and policy responsibilities in disposing of these properties on a timely basis.

Second, the conferees agree to add \$25,000,000 to the \$233,168,000 provided for the section 811 housing program for the disabled, and to add \$50,000,000 to the \$780,190,000 provided for the section 202 housing program for the elderly. However, rather than spending the additional funding on new construction or acquisition of buildings, the funds must be applied to extending the contract terms of the rental assistance program.

Finally, funding for renewing expiring or terminating section 8 subsidy contracts has been reduced from \$4,350,862,000 to \$4,007,862,000. Though the decrease will not reduce the number of households assisted under this program from the level specified in H.R. 2099, it will reduce the term of the rental assistance contracts from two years.

H.R. 2099, the 1996 VA/HUD and Independent Agencies appropriations measure, included a provision designed to replace the Low Income Housing Preservation.

H.R. 2099, the 1996 VA/HUD and Independent Agencies appropriations measure, included a provision designed to replace the Low Income Housing Preservation and Resident Homeownership Act (LIHPHA) with a less expensive program that avoids dependence on continuing section 8 rental subsidies while, at the same time, preserves affordable housing opportunities for low-income families.

The recently enacted Housing Opportunity Program Extension Act of 1996 incorporated the provisions of the revised preservation program contained in H.R. 2099. Due to delays, however, the calendar deadlines utilized in this legislation for filing and for funding eligibility determinations are no longer valid and must be adjusted. Therefore, the conferees have adjusted dates to conform the provisions in the Extension Act.

As a further refinement of the revised preservation program, the conferees have added a third criteria for the Department to utilize in setting appropriate rents for properties. This change will enable properties which utilize the capital loan/capital grant program to retain working families in affordable housing developments and to achieve an appropriate mix of income levels.

PUBLIC HOUSING DEMOLITION, SITE REVITAL-  
IZATION, AND REPLACEMENT HOUSING  
GRANTS

The conferees are aware of the urgent need to accelerate the demolition of distressed public housing developments and have agreed to provide \$200,000,000 above the amount recommended in H.R. 2099 for the severely distressed public housing program. This addition increases funding for the program from \$280,000,000 to \$480,000,000.

The HOPE VI program was created in 1992 as a means to replace obsolete public housing developments aggressively with homes that are architecturally appealing, have lower densities, and are better suited to the needs of low-income families and their surrounding neighborhoods. In the last four years, the Department has found it necessary to refine PHA plans after awarding the grants, usually because of complicated financing associated with the construction of these developments. The formal competition process required by the Act, however, constrains HUD from being able to make changes on a timely basis. Therefore, to facilitate actual site demolition and rehabilitation, the conferees have deleted a requirement for a formal competition regarding how these funds are awarded. In place of a

formal competition, HUD plans to utilize a comprehensive, merit-based selection process.

DRUG ELIMINATION GRANTS FOR LOW-INCOME  
HOUSING

The conference agreement permits the Secretary to waive the requirement to set-aside a portion of these funds for the youth sport program, though the activity remains an eligible activity of the program. This requirement has been burdensome for both the Department and public housing authorities to administer.

Noting the importance and need to fight crime in public housing and to create safe environments for low-income families, the conferees have decided to fully fund the Drug Elimination Grant program despite dwindling discretionary resources. There is, however, a significant crime problem that plagues the assisted housing portfolio. Unfortunately, the owners of these properties do not have access to funding from the drug elimination program. It is the opinion of the conferees that the authorizing committee should consider this problem and rectify it with appropriate legislation.

COMMUNITY PLANNING AND DEVELOPMENT  
COMMUNITY DEVELOPMENT GRANTS

At the request of the Secretary, the conferees agree to set-aside \$50,000,000 from the community development block grant account for economic development initiatives to be made available pursuant to a competitive selection process.

## ADMINISTRATIVE PROVISIONS

EXTEND ADMINISTRATIVE PROVISIONS FROM  
THE RESCISSION ACT

It is critical to deregulate the public and assisted housing portfolios by providing them with the greatest degree of flexibility possible, and therefore agree to expand the eligible uses of modernization funds to capital purposes.

The conferees believe that mixed-income developments, where the portion of apartments dedicated to low-income families are indistinguishable from the remaining market-rate apartments, will foster safe neighborhoods and will provide for fiscally viable developments. Therefore, the conferees recommend inclusion of several provisions designed to facilitate their creation and financing.

## EMPLOYMENT LIMITATIONS

The conferees agree to increase the number of assistant secretaries to eight from the seven provided in H.R. 2099, but have retained the provisions regarding the levels of Schedule C and noncareer SES employees. HUD is directed to present a plan to the House and Senate Committees on Appropriations by September 30, 1996, that describes its reorganization strategy, including:

(1) the organizational structure, including the number of field offices, regional offices, and FHA offices;

(2) the programmatic staffing levels required to meet the needs and services identified in HUD's mission statement;

(3) the responsibilities and duties of headquarters, the field offices, regional offices and FHA offices, the services they will provide, and the level of programmatic staff necessary to carry out these functions;

(4) the relationship between Headquarters and the field offices, regional offices, and FHA offices; and

(5) the annual schedule by which the Secretary intends to reduce staff to 7,500 by the year 2002.

If the level of FTEs required to administer the programs effectively is greater than 7,500, the Secretary must justify the increase.

# REPEAL OF FROST-LELAND

Although the conferees agree to repeal the Frost-Leland amendment, it was not agreed that the City of Dallas be reimbursed for expenses it incurred demolishing a public housing project in West Dallas pursuant to a court order.

## FHA ASSIGNMENT PROGRAM

The conferees have amended provisions of the Balanced Budget Downpayment Act, I, which reformed the FHA Assignment Program. The first change corrects terminology included in that Act. Additionally, because of delays in enacting this appropriations measure, several dates used in the original legislation are no longer valid and have been changed. First, the effective date of the reform has been changed to the date of enactment of this legislation to prevent a circumstance where people who applied for assignment after March 15, 1996, would find the program retroactively terminated. Thirty days after enactment, HUD is required to issue regulations. The second date change allows the reforms to be utilized for all mortgages executed during fiscal year 1996 and in prior years.

## CHANGES TO STATE OF NEW YORK'S COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME PROGRAMS

To ensure that the CDBG Small Cities program in the State of New York is operated as efficiently as possible, the conferees agree to limit the amount of funds made available for multi-year commitments to 35 percent. Additionally, the conferees agree to provide the State of New York's HOME funds directly to the Chief Executive Officer of the State, to be used in accordance with provisions of law.

## MINIMUM RENT TENANT PROTECTIONS

The conferees agree that every public housing and section 8 housing resident who receives the benefit of housing assistance should contribute at least \$25 towards their rent. There may be occasions, however, where families are experiencing serious financial hardship and cannot afford even the most minimal contribution. Therefore, a provision has been added to allow the Secretary or a public housing agency to waive the minimum rent requirement to provide a transition period for affected families not to exceed three months.

The conferees have agreed to delete a provision proposed in H.R. 2099 which would have directed the transfer of fair housing enforcement responsibilities to the Department of Justice.

## TITLE III—INDEPENDENT AGENCIES

### DEPARTMENT OF THE TREASURY

#### COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

The conferees agree to provide \$45,000,000, instead of \$50,000,000 as proposed by the Senate and \$25,000,000 as proposed by the House. The conferees also agree to remove legislative provisions restricting the size of the staff for this effort.

### CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

#### NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

Appropriates \$400,500,000 for National and Community Service Programs Operating Expenses as proposed by the Senate, instead of termination, or \$383,500,000 if offsetting savings were found, as proposed by the House. The recommended amount is \$69,500,000 below the 1995 level and \$416,976,000 below the budget request.

The bill includes language eliminating grants to Federal agencies. This will permit all money to be directed outside of the Fed-

eral bureaucracy and should help reduce the cost per participant.

The conferees are aware of recent commitments by the Corporation to improve the management of the AmeriCorps program and reduce costs. In addition to eliminating grants to federal agencies, such actions include decreasing the reliance on federal funds by increasing the matching requirement for private funds, reminding sponsors of all prohibited activities, including lobbying and partisan political activities, improving grant reviews, and expanding efforts in program evaluation. It is the conferees' intent that the appropriating and authorizing committees will carefully monitor the Corporation's activities to ensure that the agreed to reforms are carried out and to prevent any abuses in the future.

The conferees agree to include the Sense of the Congress language proposed by the Senate. This language urges the President to nominate expeditiously a Chief Financial Officer and to implement as quickly as possible the recommendations of the independent auditors to improve the financial management of the Corporation's funds. The language also urges the Corporation to submit a reprogramming proposal for up to \$3,000,000 to carry out financial management system reforms if the Chief Financial Officer determines such additional resources are needed.

## OFFICE OF INSPECTOR GENERAL

Appropriates \$2,000,000 for the Office of Inspector General. The conferees expect that the Inspector General will periodically report to the Congress on progress in improving the Corporation's financial management systems and in developing auditable financial statements.

## ENVIRONMENTAL PROTECTION AGENCY

### SCIENCE AND TECHNOLOGY

The conferees agree to a technical change to House Report 104-384 related to the Mine Waste Technology program. The science and technology account includes \$3,000,000 for this program, in lieu of funding in the hazardous substance superfund account.

## ENVIRONMENTAL PROGRAMS AND MANAGEMENT

The conferees agree to provide \$127,000,000 in addition to the amount proposed for environmental programs and management in H.R. 2099. Of this amount, the conferees agree that up to \$40,000,000 is available for enforcement activities.

In 1994, under the U.S. Global Climate Change Action Plan, the Administration approached developing countries about undertaking joint activities to reduce global emissions. The joint implementation project thus established encourages partnerships between businesses and non-governmental organizations in the United States and developing countries, offering the potential to achieve greater emission reductions worldwide than would be possible with each country acting alone. Recognizing that meaningful near-term reductions in greenhouse gas emissions can only be realized through voluntary, public-private relationships such as the joint implementation program, the conferees urge that from the funds provided for the climate change action plan, the Agency provide \$3,000,000 for completion of climate change country studies and development of developing country national action plans and \$7,000,000 for joint implementation plan activities.

## BUILDINGS AND FACILITIES

The conferees agree to provide \$50,000,000 in addition to the amount proposed for buildings and facilities in H.R. 2099. This additional funding is for the first phase of construction of a new consolidated research facility at Research Triangle Park, North

Carolina. The conferees agree that the total construction cost for this new research facility shall not exceed \$232,000,000.

## HAZARDOUS SUBSTANCE SUPERFUND

The conferees agree to provide \$150,000,000 in addition to the amount proposed for hazardous substance superfund in H.R. 2099. The conferees agree that such additional funds, \$100,000,000 of which become available on September 1, 1996, are for clean-up response and enforcement activities, subject to normal reprogramming guidelines. The conferees agree that \$2,000,000 of this additional amount is for worker training grants under NIEHS, bringing this program to \$18,500,000 for fiscal year 1996.

## STATE AND TRIBAL ASSISTANCE GRANTS

The conferees agree to provide \$490,000,000 in addition to the amount proposed for environmental programs and infrastructure assistance under state and tribal assistance grants in H.R. 2099. Of this additional amount, \$448,500,000 is for capitalization grants, \$3,500,000 is for a water distribution system grant in the South Buffalo/Kittanning area, Pennsylvania, \$25,000,000 is for a special projects grant for Boston Harbor for a total of \$50,000,000 in fiscal year 1996, and \$13,000,000 is for a construction grant for wastewater treatment facilities in Watertown, South Dakota. Of the \$448,500,000, \$225,000,000 is for Safe Drinking Water State Revolving Fund capitalization grants which, added to the \$275,000,000 proposed in H.R. 2099 and the \$225,000,000 provided in previous appropriations acts, brings the total available for the Safe Drinking Water SRF to \$725,000,000. All of these funds shall be available if authorization for such SRF is enacted prior to August 1, 1996, however, if no such authorization is enacted prior to August 1, 1996, these funds will become available for wastewater capitalization grants.

The conferees understand the Agency has convened a federal advisory committee to address water pollution issues related to wet weather. The conferees believe that EPA should take advantage of the many stakeholders concerned about stormwater at the table and use this opportunity to see if these participants can reach consensus on a simplified, environmentally protective, workable, cost-effective stormwater program for municipalities regardless of population and all entities whether or not they are already covered under the Phase I NPDES program.

Finally, the conferees note that \$700,000 of funds proposed in H.R. 2099 for Manns Choice and \$100,000 of funds proposed in H.R. 2099 for Taylor Township, Pennsylvania, be used for wastewater treatment facility improvements in Juniata Terrace Borough, Mifflin County, Pennsylvania (\$250,000) and Curwensville Borough-Pike Township, Clearfield County, Pennsylvania (\$150,000) and for combined sewer overflow improvements for Logan Township, Blair County, Pennsylvania (\$400,000).

## ADMINISTRATIVE PROVISIONS

The conferees have included bill language in section 304 which transfers real property located in Bay City, Michigan to the City of Bay City or another municipal entity. In addition, up to \$3,000,000 of previously appropriated funds shall be provided to the recipient of such real property for necessary environmental remediation and rehabilitation costs of the property. It is the intent of the Conferees that the recipient of the property shall accept full responsibility for compliance with any applicable environmental conditions and that the Agency's liability shall terminate upon transfer.

The conferees have agreed to delete a provision proposed in H.R. 2099 which prohibited the use of funds to implement section 404(c)

of the Federal Water Pollution Control Act, as amended.

EXECUTIVE OFFICE OF THE PRESIDENT  
COUNCIL ON ENVIRONMENTAL QUALITY AND  
OFFICE OF ENVIRONMENTAL QUALITY

The conferees agree to provide \$1,150,000 in addition to the amount proposed in H.R. 2099, for a fiscal year 1996 total of \$2,150,000 for CEQ. The conferees agree that CEQ and OEQ should not augment their workforce by utilizing personnel paid for by appropriations provided to any other Federal agency or department.

DEPARTMENT OF HEALTH AND HUMAN  
SERVICES

OFFICE OF CONSUMER AFFAIRS

The conferees have agreed to provide \$1,800,000 for the Office of Consumer Affairs. Neither the House or the Senate had included this funding in the bill.

NATIONAL AERONAUTICS AND SPACE  
ADMINISTRATION

The conferees agree to provide \$83,000,000 for Science, Aeronautics and Technology in addition to the amounts proposed H.R. 2099. Distribution of the additional funding is to be addressed in the NASA operating plan for fiscal year 1996 and is subject to final approval by the Committees on Appropriations of the House and Senate.

The conferees do not agree that all NASA aircraft consolidation should be held in abeyance pending the final reports of the NASA Inspector General and the General Accounting Office as proposed by the Senate. The conferees note that in a letter dated March 8, 1996, the Inspector General endorsed an alternative aircraft consolidation plan which would leave in place five aircraft currently based at Lewis Research Center, Langley Research Center, and Wallops Island. Therefore, the conferees agree that the consolidation of these aircraft should await final resolution of the issues addressed in the initial report by the NASA Inspector General with regard to consolidation savings.

The conferees are concerned with NASA's unexpected recent announcement regarding additional and accelerated personnel reductions at NASA headquarters. This announcement was made without prior consultation with the Congress. The proposed reduction is disproportionately excessive relative to the aggregate funding profile for this agency. Such substantial staffing reduction may jeopardize NASA's ability to manage adequately programs of continuing priority to the Congress and the Nation. Therefore, the conferees direct NASA to suspend immediate implementation of the administrative steps to execute this proposed reduction-in-force, pending full consideration by the Congress of the agency's budget for fiscal year 1997.

The conference agreement also includes two new administrative provisions. The first provision ensures that section 212 of Public Law 104-99 remains in effect as if enacted as part of this Act. The second new provision urges NASA to fund Phase A studies for a radar satellite initiative.

NATIONAL SCIENCE FOUNDATION

The conferees agree to provide an additional \$40,000,000 for Research and Related Activities for the National Science Foundation. The effect of this adjustment is a net reduction of \$140,000,000 from the budget request as compared to a reduction of \$180,000,000 proposed in H.R. 2099.

TITLE V—GENERAL PROVISIONS

The conference agreement includes a general provision which supersedes section 201(b) of Public Law 104-99.

TITLE II—SUPPLEMENTAL  
APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE, RURAL  
DEVELOPMENT, FOOD AND DRUG AD-  
MINISTRATION, AND RELATED AGEN-  
CIES

DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND INSPECTION SERVICE

The conferees retain bill language included by the Senate to earmark funds appropriated to the Food Safety and Inspection Service for in-plant inspection personnel. The House-passed bill contained no similar provision. Providing sufficient funds to fully cover the salaries and expenses of in-plant inspections mandated by current law was the priority of Congress in the fiscal year 1996 appropriations Act. The conferees regret that it has become necessary to earmark funds for in-plant inspector salaries and expenses, but because the agency could not provide assurances that it would fulfill the intent of Congress, the conferees found this as the only alternative available.

NATURAL RESOURCES CONSERVATION SERVICE  
WATERSHED AND FLOOD PREVENTION  
OPERATIONS

The conference agreement provides a supplemental appropriation of \$80,514,000 for Watershed and Flood Prevention Operations to repair damages to waterways and watersheds resulting from flooding in the Pacific Northwest, the Northeast blizzards, floods, and other natural disasters instead of \$73,200,000 as proposed by the House and \$107,514,000 as proposed by the Senate. The conferees encourage the Department, when repairing projects with funds appropriated for Emergency Watershed and Flood Prevention Operations, to do so with the intent of minimizing future costs and flooding.

The conference agreement provides that the entire amount shall be available only to the extent that an official budget request for \$80,514,000 is submitted that includes designation of the entire amount as an emergency requirement.

The conference agreement also provides that if the Secretary of Agriculture determines that the cost of land and restoration of farm structures exceeds the fair market value of affected cropland, the Secretary may use sufficient amounts "not to exceed \$7,288,000" from funds provided under this heading to accept bids from willing sellers to provide conservation easements for cropland inundated by floods, as provided for by the Wetlands Reserve Program.

CONSOLIDATED FARM SERVICE AGENCY  
EMERGENCY CONSERVATION PROGRAM

The conference agreement provides a supplemental appropriation of \$30,000,000 for the Emergency Conservation Program for expenses resulting from floods in the Pacific Northwest and other natural disasters as proposed by the Senate instead of \$24,800,000 as proposed by the House.

The conference agreement does not include a provision proposed by the Senate that the entire amount be available subject to an official budget request from the Administration.

RURAL HOUSING AND COMMUNITY DEVELOPMENT  
SERVICE  
RURAL HOUSING INSURANCE FUND PROGRAM  
ACCOUNT

The conference agreement provides a supplemental appropriation of \$5,000,000 for section 502 direct loans and \$1,500,000 for section 504 housing repair loans for emergency expenses resulting from flooding in the Pacific Northwest, the Northeast blizzards and floods, Hurricane Marilyn, and other natural disasters as proposed by the Senate. The

House bill proposed a total of \$6,500,000 for both section 502 direct loans and section 504 housing repair loans.

The conference agreement provides that funds be used for the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974 as proposed by the House.

The conference agreement does not include a provision proposed by the Senate that the entire amount be available subject to an official budget request from the Administration.

VERY LOW-INCOME HOUSING REPAIR GRANTS

The conference agreement provides a supplemental appropriation of \$1,100,000 for emergency expenses resulting from flooding in the Pacific Northwest, the Northeast blizzards and floods, Hurricane Marilyn, and other natural disasters as proposed by both the House and Senate. The conference agreement does not include a provision proposed by the Senate that the entire amount be available subject to an official budget request from the Administration.

RURAL UTILITIES SERVICE

RURAL UTILITIES ASSISTANCE PROGRAM

The conference agreement provides a supplemental appropriation of \$11,000,000 for direct loans and grants of the Rural Utilities Assistance Program and the Emergency Community Water Assistance Program to assist in the recovery from flooding in the Pacific Northwest and other natural disasters as proposed by the Senate. The House bill proposed separate appropriations of \$5,000,000 for the Emergency Community Water Assistance Program and \$6,000,000 for the Rural Utilities Assistance Program. The conference agreement also provides that funds be used for the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974 as proposed by the House.

The conference agreement does not include a provision proposed by the Senate that the entire amount be available subject to an official budget request from the Administration.

COMMODITY CREDIT CORPORATION

EMERGENCY LIVESTOCK FEED ASSISTANCE  
PROGRAM

The conference agreement does not provide \$10,000,000 of Commodity Credit Corporation funds for cost-sharing assistance under provisions consistent with the Emergency Livestock Feed Assistance Program as proposed by the House. The Senate bill contained no similar provision. The Department has indicated that livestock producers who are eligible for cost-sharing assistance under the Emergency Livestock Feed Assistance Program will continue to be eligible for this assistance provided a valid contract for this program has been signed prior to enactment of new legislation.

SUPPLEMENTAL AND RESCISSION REQUESTS

As part of its fiscal year 1996 supplemental and rescission requests, the Administration proposed a rescission of \$12,000,000 from Cooperative State Research, Education, and Extension Service, Buildings and Facilities, and supplemental requests of \$2,500,000 for the U.S.-Israel Binational Agricultural Research and Development Fund program and \$9,500,000 for the Food Safety and Inspection Service. The conference agreement does not include these proposals.

GENERAL PROVISIONS

The conference agreement deletes the administrative provision proposed by the Senate that would have allowed the Secretary to transfer funds provided in this Chapter between accounts included in this Chapter. The House bill contained no similar provision.

SEAFOOD SAFETY

The conference agreement provides that any domestic fish or fish product produced in

compliance with food safety standards or procedures accepted by the Food and Drug Administration shall be deemed to have met any inspection requirements of the Department of Agriculture or other Federal agency for any Federal commodity purchase program, and that the Department or other Federal agency may utilize lot inspection to establish a reasonable degree of certainty that such fish or fish product meets Federal product specifications as proposed by the Senate. The House bill contained no similar provision.

#### FARM LOANS

The conference agreement includes language that allows the Department of Agriculture to make or guarantee an operating or an emergency loan to a loan applicant who was less than 90 days delinquent on April 4, 1996, if the loan applicant had submitted an application for the loan prior to April 5, 1996. The recently enacted Federal Agriculture Improvement and Reform Act altered conditions under which loans could be made at the time of enactment. This provision allows those borrowers, whose application had been submitted, to complete the process. The provision also provides that no applicant may be more than 90 days delinquent.

#### CHAPTER 1A

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

##### FOOD AND DRUG ADMINISTRATION FOOD AND DRUG EXPORT REFORM

The conference agreement includes a modification of language included in both the House and Senate versions of the bill allowing the export of certain unapproved drugs, biologicals, animal drugs, and medical devices. The provision allows pharmaceuticals and medical devices not approved in the United States to be exported to any country in the world if the product complies with the laws of that country and has valid marketing authorization in one of the following countries: Australia; Canada; Israel; Japan; New Zealand; Switzerland; South Africa; or the European Union or a country in the European Economic Area. The Secretary is given authority to add countries to the list based on criteria set forth in the conference agreement.

The conference agreement also sets forth criteria upon which the Secretary may allow direct export of a drug not first approved in one of the listed countries. However, devices were not included because under current law devices may be exported to any country after the Secretary determines that the export of the device is not contrary to public health and the import is permitted into the importing country. In addition, the conference agreement sets forth conditions under which the Secretary may approve the export of a drug or device which is used for tropical diseases or other diseases not of significant prevalence in the United States. To approve an application under this section, the Secretary must find that the medical product will not expose patients to an unreasonable risk of illness or injury and that the probable health benefits outweigh the risk of injury or illness, taking into account currently available treatments and their economic accessibility.

In general, a medical product may not be exported under this provision unless it is unadulterated, accords to the specifications of the foreign manufacturer, complies with the laws of the importing country, is labeled for export, and is not sold in the U.S. The drug or device must be manufactured in substantial conformity with good manufacturing practices applicable to that specific product or else be in compliance with recognized

international standards. The Secretary may prohibit exports of products which are found to pose an imminent hazard.

Any person who exports a drug or device may request the Secretary of Health and Human Services to certify in writing that the exportation is legal. A fee of up to \$175 is authorized for issuance of each written export certification. The conferees intend that fees be established on a sliding scale to minimize the impact on small business.

#### IMPORT COMPONENTS USED FOR EXPORT

The conference agreement also allows import of certain articles, which cannot now be lawfully imported, used in the manufacture of drugs, biological products, devices, foods (including dietary supplements), food additives, and color additives if the finished products are then exported. Under this provision, importers must provide the Secretary of Health and Human Services with notification of the initial importation, maintain records of such imports, and destroy any component not used in an exported product. The agreement also allows import of certain blood and tissue products provided they comply with the Public Health Service Act requirements, or the Secretary allows such imports. The Secretary could make such a determination, for example, where a blood component is imported from a country which has laws and regulations relating to the collection and processing of blood; the products are in compliance with such requirements; the importer assures that such products are segregated from U.S. products, that contamination of equipment is prevented, and that records are maintained and made available to the Secretary to verify such assurances; and that the importer performs such tests as the Secretary may require.

#### PATENT EXTENSION

The conference agreement includes a provision that would extend a patent on a non-steroidal anti-inflammatory drug. Congressional hearings held on this issue support the claims that the Food and Drug Administration took an unreasonable length of time in the approval process for this drug. The provision provides a two year extension.

#### CHAPTER 2

#### DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES

##### DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

The conference agreement includes \$18,000,000 for emergency expenses related to recovery and mitigation efforts associated with flooding in the Pacific Northwest and other disasters, to remain available until expended and to be available only pursuant to an official budget request that declares the funds to be emergency. The Senate bill proposed \$25,000,000 for emergency expenses resulting from flooding, and \$2,500,000 to be transferred to Salaries and Expenses. The House bill contained no similar provision.

##### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION CONSTRUCTION

The conference agreement includes \$7,500,000 in emergency funds for the National Oceanic and Atmospheric Administration's (NOAA) "Construction" account. The House bill provided no funds for this purpose; the Administration request was \$10,000,000. These funds are to support the immediate repair of fish hatcheries along the Columbia River which experienced severe damage from the recent flooding in the Northwest.

The conferees note that the National Marine Fisheries Service funds the Mitchell Act

Hatcheries. If additional funds are needed for repairs in this instance, the conferees understand that funds are available within existing amounts at the Federal Emergency Management Administration (FEMA) and would encourage FEMA to give every consideration to applications received in relation to this flood damage.

#### DEPARTMENT OF STATE AND RELATED AGENCIES

##### DEPARTMENT OF STATE

##### ADMINISTRATION OF FOREIGN AFFAIRS

##### DIPLOMATIC AND CONSULAR PROGRAMS

The conference agreement includes no emergency funding for State Department operations to offset operating costs being incurred in Bosnia as a result of the Dayton Accords, as proposed by the Senate. The House bill included \$2,000,000.

##### RELATED AGENCIES

##### UNITED STATES INFORMATION AGENCY

##### SALARIES AND EXPENSES

The conference agreement includes no emergency funding for United States Information Agency operations to offset operating costs being incurred in Bosnia as a result of the Dayton Accords, as proposed by the Senate. The House bill included \$1,000,000.

##### RELATED AGENCY

##### SMALL BUSINESS ADMINISTRATION

##### DISASTER LOANS PROGRAM ACCOUNT

The conference agreement provides \$71,000,000 for subsidy costs associated with the SBA Disaster Loans Program, instead of \$72,300,000 as proposed by the House and \$69,700,000 as proposed by the Senate, as an emergency appropriation to remain available until expended, to allow for additional loan volume in response to declared disasters.

In addition, the conferees have included \$29,000,000, for administrative expenses under this account, instead of \$27,700,000 as proposed by the House and \$30,300,000 as proposed by the Senate, as an emergency appropriation to remain available until expended, to support SBA's disaster activities in response to declared disasters.

The conferees are concerned about the manner in which SBA budgets for, and administers, disaster assistance funds. The conferees are disturbed that during development of the supplemental funding requirements, SBA identified \$79,000,000 in unspent prior year funding not previously known to SBA. In addition, SBA indicated a shortfall in disaster administrative expenses, even though the conferees had already fully funded SBA's request for these expenses. The conferees expect disaster funding to be used only for the purpose for which it was provided, and to accurately budget for and administer these funds.

Therefore, the conferees direct the SBA to provide, not later than May 30, 1996, a report to the House and Senate Appropriations Committees on the obligation of administrative expenses funding to date in fiscal year 1996, and to provide an updated report on August 15, 1996. These reports should identify the following: (1) each headquarters' office receiving administrative funding, the total funding provided, and the number of FTE supported; (2) the total funding and FTE (permanent and temporary) provided to each field location, the date the field location was established, the expected duration of employment for temporary employees for each location, and the expected termination date for each location; and (3) the total loan volume by location.

## CHAPTER 3

## DEPARTMENT OF DEFENSE—CIVIL

## DEPARTMENT OF THE ARMY

## CORPS OF ENGINEERS—CIVIL

## GENERAL INVESTIGATIONS

The conference agreement includes language contained in section 3007 of the Senate bill to permit the Secretary of the Army to utilize funds previously appropriated for the St. Louis Harbor, Missouri, project for the Upper Mississippi River and Illinois Waterway navigation study. The conferees agree that they will work to restore funds to the St. Louis Harbor project in the future as needed.

## OPERATION AND MAINTENANCE, GENERAL

The conference agreement includes \$30,000,000, the same as the budget request, for the repair of damages to Corps of Engineers projects caused by severe flooding in the Northeast and Northwest as proposed by the House and the Senate. The conferees have also agreed to adopt the language contained in the House bill.

## FLOOD CONTROL AND COASTAL EMERGENCIES

The conference agreement includes \$135,000,000, the same as the budget request and the amount proposed by the House and the Senate, for the Corps of Engineers to repair damage to non-Federal levees and other flood control works located in states affected by the Northeast and Northwest floods of 1996 and other natural disasters, and to replenish funds transferred from other accounts for emergency work pursuant to the authority of the Secretary of the Army contained in Public Law 84-99. The conferees have also agreed to adopt the language contained in the House bill.

## DEPARTMENT OF THE INTERIOR

## BUREAU OF RECLAMATION

## CONSTRUCTION PROGRAM

The conference agreement includes \$9,000,000, the same as the budget request and the amount proposed by the House and the Senate, for the Bureau of Reclamation to continue emergency repairs at Folsom Dam in California. The conferees have also agreed to delete funding requested by the President and proposed by the Senate for the payment of claims associated with flooding in March of 1995 in California's San Joaquin Valley.

## DEPARTMENT OF ENERGY

## ATOMIC ENERGY DEFENSE ACTIVITIES

## OTHER DEFENSE ACTIVITIES

The conference agreement includes an additional \$15,000,000 to accelerate activities in the Materials Protection, Control and Accounting program to improve facilities and institute national standards to secure stockpiles of weapons usable fissile materials in Russia and the Newly Independent States. No similar provision was included in the House bill, the Senate bill, or the budget request.

## POWER MARKETING ADMINISTRATIONS

## CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

## (TRANSFER OF FUNDS)

The conference agreement provides for the transfer of \$5,500,000 from this account to the account "Operation and Maintenance, Alaska Power Administration", as proposed by the House bill and budget request, only for necessary termination expenses of the Alaska Power Administration. The Senate bill did not contain this provision.

## FEDERAL ENERGY REGULATORY COMMISSION

The conference agreement deletes language contained in section 3017 of the Senate bill providing for a limited waiver of annual

charges for the Flint Creek Project in Montana.

## CHAPTER 4

## FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS

## FUNDS APPROPRIATED TO THE PRESIDENT

## UNANTICIPATED NEEDS

## UNANTICIPATED NEEDS FOR DEFENSE OF ISRAEL AGAINST TERRORISM

The conference agreement provides \$50,000,000 for emergency expenses necessary to meet unanticipated needs for the acquisition and provision of goods, services, and/or grants for Israel necessary to support the eradication of terrorism in and around Israel as proposed by the Senate. The conferees further agree that none of the funds appropriated in this paragraph shall be made available except through the regular notification procedures of the Committee on Appropriations. The conferees expect the aid to be provided consistent with information transmitted to the Committees on Appropriations in a classified document on March 25, 1996. The House bill contained no similar provision.

## MILITARY ASSISTANCE

## FOREIGN MILITARY FINANCING PROGRAM

The conference agreement provides \$70,000,000 for grant Foreign Military Financing for Jordan as proposed by both the House and Senate. The conference agreement also provides that such funds may be used for Jordan to finance transfers by lease of defense articles under chapter 6 of the Arms Export Control Act. These funds will be used to support the transfer of 16 F-16 fighter aircraft to the Government of Jordan. The conferees also note that the overall downsizing of the U.S. defense industry is costing thousands of American defense-related jobs. The conferees therefore direct the Department of Defense to give priority consideration to American defense firms in awarding contracts for upgrades and other major improvements to these aircraft prior to their delivery to the Government of Jordan.

## CHAPTER 5

## DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

*Agency Priorities.* The managers have not agreed to statutory language, proposed by the Senate in section 1203 of Title II, chapter 12, which would have mandated the allocation of emergency supplemental funds based on agency prioritization processes. The managers understand that the initial estimates of emergency requirements that have been provided are based on very preliminary information and that those initial estimates, because of time constraints, may not have included every project which needs to be addressed. The managers expect each agency to develop on-the-ground estimates of all its natural disaster related needs and to address these needs consistent with agency priorities.

*Contingent Appropriations.* The availability of those portions of the appropriations detailed in this chapter that are in excess of the Administration's budget request for emergency supplemental appropriations are contingent upon receipt of a budget request that includes a Presidential designation of such amounts as emergency requirements as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## DEPARTMENT OF THE INTERIOR

## BUREAU OF LAND MANAGEMENT

## CONSTRUCTION AND ACCESS

An additional \$5,000,000 in emergency supplemental appropriations for Construction and Access is made available as proposed by

the Senate instead of \$4,242,000 as proposed by the House. Of this amount, \$758,000 is contingent upon receipt of a budget request that includes a Presidential designation of such amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## OREGON AND CALIFORNIA GRANT LANDS

An additional \$35,000,000 in emergency supplemental appropriations for Oregon and California Grant Lands is made available as proposed by the Senate instead of \$19,548,000 as proposed by the House. Of this amount, \$15,452,000 is contingent upon receipt of a budget request that includes a Presidential designation of such amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## UNITED STATES FISH AND WILDLIFE SERVICE

## RESOURCE MANAGEMENT

An additional \$1,600,000 in emergency supplemental appropriations for Resource Management is made available as proposed by the Senate instead of no funding as proposed by the House. The entire amount is contingent upon receipt of a budget request that includes a Presidential designation of such amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## CONSTRUCTION

An additional \$37,300,000 in emergency supplemental appropriations for Construction is made available as proposed by the Senate instead of \$20,505,000 as proposed by the House. Of this amount, \$16,795,000 is contingent upon receipt of a budget request that includes a Presidential designation of such amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

The managers have neither agreed to bill language, proposed by the Senate, earmarking specific funds for Devils Lake, ND nor to report language earmarking funds for other locations. The Service should carefully consider the needs at Devils Lake, ND and at Kenai, AK as it allocates funds.

## NATIONAL PARK SERVICE

## CONSTRUCTION

An additional \$47,000,000 in emergency supplemental appropriations for Construction is made available as proposed by the Senate instead of \$33,601,000 as proposed by the House. Of this amount, \$13,399,000 is contingent upon receipt of a budget request that includes a Presidential designation of such amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## UNITED STATES GEOLOGICAL SURVEY

## SURVEYS, INVESTIGATIONS, AND RESEARCH

An additional \$2,000,000 in emergency supplemental appropriations for Surveys, Investigations, and Research is made available as proposed by the Senate instead of \$1,176,000 as proposed by the House. Of this amount, \$824,000 is contingent upon receipt of a budget request that includes a Presidential designation of such amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## CHAPTER 6

## DEPARTMENT OF DEFENSE

## MILITARY CONSTRUCTION

## NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

The conference agreement includes an additional \$37,500,000 for the NATO Security Investment Program, as provided in both the

House and Senate bills. In addition, the conference agreement includes rescissions totaling \$37,500,000 to offset this additional appropriation, as explained in Title III of this report.

#### GENERAL PROVISION

The conferees agree to language proposed by the Senate which gives the Secretary of the Army discretionary authority to convey approximately five acres of land in Hale County, Alabama. The House bill contained no similar provision.

#### CHAPTER 7

#### DEPARTMENT OF DEFENSE—MILITARY SUPPLEMENTAL APPROPRIATIONS

The House recommended a total of \$782,500,000, designated as emergency appropriations pursuant to the Budget Act, for additional incremental U.S. military costs associated with the Bosnia operation, including the NATO-led Peace Implementation Force (IFOR) and Operation Deny Flight. The Senate recommended \$777,700,000 in new appropriations, none of which were designated emergency. The House and Senate each fully offset their respective supplemental funding through rescissions of funds previously provided in Department of Defense Appropriations Acts.

The conference agreement provides a total of \$820,000,000, all designated as emergency appropriations. This amount is fully offset by rescissions contained in Title III, Chapter 6 of the conference agreement. A summary of the conference agreement by appropriations account is as follows:

(Dollars in thousands)

Account	Request	House	Senate	Conference
<b>Military Personnel:</b>				
Army .....	244,400	262,200	244,400	257,200
Navy .....	11,700	11,800	11,700	11,700
Marine Corps .....	2,600	2,700	2,600	2,600
Air Force .....	27,300	33,700	27,300	27,300
Total .....	286,000	310,400	286,000	298,800
<b>Operation and Maintenance:</b>				
Army .....	48,200	235,200	195,000	241,500
Marine Corps .....	900	900	900	900
Air Force .....	141,600	130,200	190,000	173,000
Defense-wide .....	79,800	79,800	79,800	79,800
Total .....	270,500	446,100	465,700	495,200
<b>Procurement:</b>				
Other Procurement, Air Force .....	26,000	26,000	26,000	26,000
Grand Total .....	582,500	782,500	777,700	820,000

#### MILITARY PERSONNEL

The conference agreement recommends a total of \$298,800,000 for costs of active and reserve military personnel pay and allowances. The conferees believe they have met the most urgent military personnel requirements for the Bosnia operation, and expect the Department to keep the Committees on Appropriations advised of any revisions to these estimates.

#### OPERATION AND MAINTENANCE

The Department of Defense requested a total of \$270,500,000 for operation and maintenance to fund the incremental costs of U.S. participation in the NATO-led Bosnia Peace Implementation Force (IFOR). The conferees recommend \$495,200,000, an increase of \$224,700,000 above the supplemental request, to provide for additional requirements of the Army and the Air Force.

#### PROCUREMENT

##### COMPOSITE SHAFT FAIRWATERS

The Department of Defense Appropriations Act for Fiscal Year 1996 contained \$3,000,000 in "Other Procurement, Navy" for procurement of composite shaft fairwaters for CG-47 cruisers. The Navy recently conducted testing of composite shaft fairwaters and demonstrated extended life, reduced maintenance, and improved capability for removing fairwaters while a ship is waterborne. The Navy concluded, however, that the most-cost

effective approach is to incorporate this new technology into Aegis destroyers while under construction rather than to retrofit Aegis cruisers. The conferees therefore direct the Under Secretary of Defense (Comptroller) to submit a fiscal year 1996 transfer of \$3,000,000 from "Other Procurement, Navy" to Shipbuilding and Conversion, Navy" using standard reprogramming procedures.

#### RESEARCH, DEVELOPMENT, TEST AND EVALUATION

##### BALLISTIC MISSILE DEFENSE MANAGEMENT AND SUPPORT

The conferees note that a total increase to the budget of \$528,939,000 was provided for Ballistic Missile Defense programs in the Department of Defense Appropriations Act, 1996. This total included a recommendation contained in the National Defense Authorization Act, 1996, which cut \$30,000,000 from the Ballistic Missile Defense Organization's (BMDO) Program Management and Support program element.

In executing the additional tasks and responsibilities required by the fiscal year 1996 program funding increases, it has become clear that the burden on the BMDO Program Management and Support program element has actually increased. To minimize this impact, Congressional action to date in proposed reprogrammings and rescissions has rejected the application of any inflation reductions to BMDO accounts. This bill includes a provision which further prohibits the application of any portion of the proposed inflation reductions against BMDO program elements.

However, these restorations still leave BMDO with the challenge of managing activities in the appropriate program elements. Therefore, the conferees hereby restore the \$30,000,000 reduction made to the Program Management and Support program element. BMDO shall internally manage this restoration by reallocating funds previously identified as excess because of decreased inflation estimates. The inflation decreases shall be applied proportionally to each BMDO RDT&E program element and project. The Director, BMDO, shall provide the congressional defense committees a statement detailing the specific decreases as applied to all program elements.

#### DEFENSE ADVANCED RESEARCH PROJECTS AGENCY

The conferees direct that \$500,000 of the funds provided for the Defense Advanced Research Projects Agency may be available to purchase photographic technology to support research in detonation physics. The director of Defense Research and Engineering shall provide the congressional defense committees with a plan for the acquisition and use of this instrument no later than May 29, 1996.

#### JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT

The conferees direct that \$2,000,000 of the fiscal year 1996 funds allocated to the Joint DOD-DOE Munitions Technology Development program element shall be used to develop and test an open-architecture machine tool controller.

#### ELECTRONIC COMMERCE RESOURCE CENTERS

The FY 1996 Defense Appropriations conference agreement directed the transfer of the managerial responsibility for the Electronic Commerce Resource Centers program to the Defense Logistics Agency. Information from the Department has subsequently come to the conferees' attention indicating that the next implementation stage for this program can best be accomplished under the direction of Deputy Under Secretary of Defense for Logistics. The conferees endorse such action and direct that a transfer of

ECRC managerial responsibility to the Deputy Under Secretary of Defense for Logistics be accomplished expeditiously under the overall program guidance expressed in the FY 1996 Defense Appropriations conference report.

#### GENERAL PROVISIONS

##### GENERAL TRANSFER AUTHORITY

Section 2701 of the conference agreement amends both House and Senate provisions regarding the amount of additional transfer authority provided under Section 8005 of the Department of Defense Appropriations Act for Fiscal Year 1996, by providing \$700,000,000 in additional transfer authority. The conferees direct that the additional transfer authority provided herein shall be available only to the extent funds are transferred, or have been transferred during the current fiscal year to cover costs associated with United States military operations in support of the NATO-led Peace Implementation Force (IFOR) in and around the former Yugoslavia.

##### F-15E AIRCRAFT

The conference agreement includes a technical amendment (Section 2702) requested by the Department of Defense and contained in the Senate bill, which is needed to permit the obligation of funding which was both authorized and appropriated in fiscal year 1996 for the procurement and advance procurement of F-15E aircraft.

##### C-17 MULTIYEAR PROCUREMENT

The conferees strongly support the multiyear procurement of eighty C-17 advanced transport aircraft and have agreed to bill language (Section 2703) authorizing the Air Force to begin a seven-year multiyear program.

However, the conferees also agree that additional savings potentially can be generated from an accelerated multiyear procurement of the C-17 over six program years. Therefore, Section 2703 also directs the Secretary of Defense to enter into negotiations with the C-17 aircraft and engine prime contractors for contract alternatives for multiyear procurement over a six-year period.

The conference agreement prevents the exercise of the multiyear authority until the Secretary of Defense certifies that the Air Force will save more than 5 percent in the price for eighty C-17 aircraft under a multiyear contract as compared to annual lot procurement. The savings must exceed the total amount of \$895.3 million shown in the "Multiyear Procurement Criteria Program: C-17" document submitted to the Appropriations Committees on February 29, 1996.

In calculating the savings from the multiyear proposals, the conferees direct that the weapon system budget estimates submitted with the C-17 multiyear procurement exhibits be used as the baseline. The conferees also direct that in conjunction with the certification required by section 2703(c) of the C-17 multiyear bill language, the Secretary of Defense shall submit a new multiyear justification exhibit package which reflects the additional savings achieved over the original multiyear proposal submitted by the Administration.

The conferees believe that the seven-year authority should enable the Air Force to generate savings significantly in excess of the \$895.3 million reflected in the original multiyear proposal. It is the conferees' intent that the additional savings should be realized from multiyear contracts currently being negotiated. In addition, the conferees believe that a six-year multiyear plan has the potential to generate even greater savings.

The conferees also agree to provisions delaying the exercise of the multiyear authority to the earlier of May 24, 1996, or the day



after enactment of a subsequent Act authorizing entry into a C-17 multiyear contract. The Secretary of Defense also is required to provide a detailed program plan for a six-year multiyear procurement by May 24, 1996.

#### SEMATECH

Section 2704 of the conference agreement amends a Senate amendment and provides \$50,000,000 for SEMATECH. This amount is fully offset by rescissions in Title III, Chapter 6 of the conference report.

#### OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

The conference agreement includes Section 2705, as proposed by the Senate, which provides authority to transfer up to \$15,000,000 in support of specific activities associated with humanitarian assistance activities related to landmines.

#### ENVIRONMENTAL RESTORATION ACTIVITIES

Section 2706 of the conference agreement amends a Senate provision making \$15,000,000 of "Operation and Maintenance, Army" funding available in order to complete the Army's remaining environmental remediation activities in recognition of its 1988 agreement with National Presto Industries, Inc.

#### DISCHARGE OF HIV-POSITIVE SERVICEMEMBERS

Section 2707 of the conference agreement includes a Senate provision regarding the discharge of HIV-positive servicemembers.

#### B-52 FORCE STRUCTURE

Section 2708 of the conference agreement amends a Senate provision and adds \$44,900,000 to "Operation and Maintenance, Air Force" for the operation and maintenance of 94 B-52H bomber aircraft in active status or in attrition reserve. This amount is fully offset by rescissions in Title III, Chapter 6 of the conference report. The conferees express their intent to not recommend additional funding for B-52 aircraft in excess of the Air Force's stated requirements unless the Air Force revises its bomber force inventory estimates.

#### MINE COUNTERMEASURES

Section 2709 of the conference agreement includes an additional \$10,000,000 for Shallow Mine Countermeasure Demonstrations. This restores a general reduction made to this account earlier in fiscal year 1996. These additional funds are fully offset by rescissions in Title III, Chapter 6 of the conference report. The conferees believe the navy has recently presented a more compelling strategy for developing countermine warfare technology centered around a joint exercise with Army, Navy, and Marine Corps forces of the U.S. Atlantic Command in 1998. The additional funds provided in the conference agreement will enable the Navy to test a number of promising technologies that would otherwise miss the 1998 exercise completely or else be demonstrated at less than full scale. The Navy has indicated that it plans to use \$5,000,000 to allow the Advanced Lightweight Influence Sweep System to be tested in the 1998 exercise with a full scale magnet, and \$5,000,000 would be used for the Explosive Neutralization Advanced Technology Demonstration and Advanced Degaussing.

#### ARMY MEDICAL RESEARCH

Section 2710 of the conference agreement transfers \$8,000,000 of previously appropriated "Defense Health Program" funds to the "Research, Development, Test and Evaluation, Army" account in order to continue research of neurofibromatosis. The Army has an ongoing successful research program in this area. This makes a technical clarification to the designation for this activity in the Fiscal Year 1996 Defense Appropriations

conference agreement and involves no additional funds.

#### COUNTER-DRUG SUPPORT

Section 2711 of the conference agreement authorizes the Department to make grants to local counternarcotic task forces in a high crime, low income area under its Counter Drug program to provide Kevlar vests for enhanced personal protection.

#### HAVE GAZE

In section 2712 the conferees have recommended language to clarify Section 8105 of Public Law 104-61 with respect to the use of fiscal year 1995 funds appropriated for this Air Force RDT&E program.

#### DEPARTMENT OF TRANSPORTATION

##### OFFICE OF THE SECRETARY

##### PAYMENTS TO AIR CARRIERS

##### (AIRPORT AND AIRWAY TRUST FUND)

The conference agreement includes language that limits obligations from the airport and airway trust fund to \$22,600,000 for payments to air carriers, as proposed by the Senate. The House bill contained no similar provision.

This limitation permits the obligation of general fund carryover balances to pay outstanding commitments in fiscal year 1996.

##### FEDERAL HIGHWAY ADMINISTRATION

##### FEDERAL-AID HIGHWAY

##### (HIGHWAY TRUST FUND)

The conference agreement appropriates \$300,000,000 for the emergency fund to cover expenses resulting from the flooding in the Mid-Atlantic, Northeast, and Northwest states, and other disasters, as proposed by the Senate instead of \$267,000,000 as proposed by the House.

The conference agreement waives the provisions of 23 U.S.C. 125(b)(1), which limit obligations to a single state resulting from a single natural disaster to \$100,000,000, as proposed by the Senate. The House bill contained no similar provision.

##### FEDERAL RAILROAD ADMINISTRATION

##### LOCAL RAIL FREIGHT ASSISTANCE

The conference agreement deletes the Senate appropriation of \$10,000,000 to repair and rebuild rail lines of other than class I railroads damaged as a result of the floods of 1996. The House bill contained no similar appropriation.

##### FEDERAL TRANSIT ADMINISTRATION

##### MASS TRANSIT CAPITAL FUND

##### (LIQUIDATION OF CONTRACT AUTHORIZATION)

##### (HIGHWAY TRUST FUND)

The conference agreement includes an appropriation of \$375,000,000 to liquidate contract authority obligations for mass transit capital programs as proposed by both the House and Senate.

##### RELATED AGENCIES

##### PANAMA CANAL COMMISSION

##### PANAMAA CANAL REVOLVING FUND

The conference agreement increases the limitation on administrative expenses of the Panama Canal Commission by \$2,000,000, to be derived from the Panama Canal revolving fund, as proposed by the House. The Senate bill contained no similar provision.

##### GENERAL PROVISIONS

The conference agreement deletes the Senate provision that allows \$3,250,000 of the Federal Transit Administration's discretionary grants program for Kauai, Hawaii, to be used for operating expenses. The House bill contained no similar provision.

The conference agreement includes a provision that requires the Federal Highway Administration to make available up to

\$28,000,000 in federal-aid obligation limitations to the State of Missouri to make obligations for construction of a new bridge in Hannibal, Missouri, from limitation set asides for discretionary programs or limitation on general operating expenses for fiscal year 1996. The provision further requires restoration of that limitation before any funds made available for the August redistribution prescribed in section 310 of Public Law 104-50 may be distributed. This provision shall not affect the federal-aid bonus limitation provided by section 310. The Senate bill contained a provision that advances emergency relief funds to the State of Missouri for the replacement in kind of the Hannibal bridge on the Mississippi River. The House bill contained no similar provision.

The conference agreement includes a provision that permits the state of Vermont to use up to \$3,500,000 of the discretionary grants identified in the conference agreement accompanying Public Law 104-50 provided to the state and the marble Valley Regional Transit District for improvements to support commuter rail operations on the Clarendon-Pittsford rail line between White Hall, New York, and Rutland, Vermont. The Senate bill allowed the State of Vermont to obligate funds apportioned to the state under the surface transportation and congestion mitigation and air quality improvement programs for railroad capital and/or operating expenses. The House bill contained no similar provision.

The conference agreement includes language that provides the administrator of the Federal Aviation Administration discretion to take into consideration unique circumstances in the State of Alaska when making certain changes to specified regulations, effective until June 1, 1997. The House and Senate bills contained no similar provision.

The conference agreement includes a provision that specifies that the unobligated funds provided for the Chicago central area circulator project in Public Law 103-122 and Public Law 103-331 be available only for constructing a 5.2-mile light rail loop within the downtown Chicago business district as described in the full funding grant agreement signed on December 15, 1994, and shall not be available for any other purpose. The House and Senate bills contained no similar provision.

#### DEPARTMENT OF THE TREASURY

##### DEPARTMENTAL OFFICES

##### SALARIES AND EXPENSES

Deletes provision proposed by the Senate as part of the Administration's initiative to combat middle eastern terrorism, which included \$3,000,000 for the Office of Foreign Assets Control.

##### UNITED STATES CUSTOMS SERVICE

##### CUSTOMS SERVICES AT SMALL AIRPORTS

Deletes provision in P.L. 104-52 capping collections for Customs services at small airports at \$1,406,000 as proposed by the House. The Senate had no comparable provision.

##### INTERNAL REVENUE SERVICE

##### ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

Amends P.L. 104-52 by adding a new provision which sets a floor on the level of service, staffing, and funding for IRS taxpayer service operations as proposed by the House. The Senate had no comparable provision.

##### EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

##### OFFICE OF NATIONAL DRUG CONTROL POLICY

##### SALARIES AND EXPENSES

Provides that \$1,000,000 of the amounts available to the Counter-Drug Technology

Assessment Center shall be used for conferences on model State drug laws as proposed by the House. The Senate had no comparable provision.

Appropriates an additional \$3,400,000 for the salaries and expenses of the Office of National Drug Control Policy as requested by the Administration, instead of no additional funding as proposed by the House and \$3,900,000 as proposed by the Senate. This will provide resources for an additional 80 full-time equivalent positions and overhead expenses for 30 military detailees, raising the complement of ONDCP to 154 positions by the end of the fiscal year.

ONDCP has a strategic mission: to aid and oversee operational agencies in coordinating the national drug control policy. The Congress never intended ONDCP to become an operational entity, but instead to formulate, direct, and oversee the implementation of the annual drug control strategy using the expertise of line agencies. The conferees are concerned that a rapid expansion in staffing that is not carefully thought out will result in ONDCP duplicating the functions of already existing programs and agencies.

To ensure that this does not occur, the conferees direct the Director of ONDCP to submit a detailed staffing plan to the House and Senate Committees on Appropriations within 30 days of enactment of this legislation. Such plan shall include an organizational chart, a detailed description of the function of each component of the office, and a detailed description of the duties associated with each position.

#### GENERAL PROVISIONS

##### COMMISSION ON RESTRUCTURING THE INTERNAL REVENUE SERVICE

Includes a provision which increases, by four, the membership of the Commission on Restructuring the Internal Revenue Service as proposed by the Senate. The House had no comparable provision.

#### CHAPTER 10

##### DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT AND INDEPENDENT AGENCIES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

##### COMMUNITY PLANNING AND DEVELOPMENT COMMUNITY DEVELOPMENT GRANTS

The Conferees agree to provide \$50,000,000 for the Department of Housing and Urban Development Community Development Block Grant Program for emergency activities related to recent Presidentially declared flood disasters.

##### FEDERAL EMERGENCY MANAGEMENT AGENCY DISASTER RELIEF (INCLUDING TRANSFER OF FUNDS)

The conference agreement includes language allowing up to \$104,000,000 by transfer from the disaster relief account to the disaster assistance direct loan program account for the cost of direct loans as authorized by section 417 of the Stafford Act. Language is included which limits community disaster loan authority to \$119,000,000, requires that the Director of FEMA certify that the provisions of section 417 of the Stafford Act will be complied with and requires that the entire amount of this transfer is available only to the extent that an official budget request for a specific dollar amount is forwarded to the Congress. The Conferees fully expect that these terms be complied with in an expeditious manner so as to release necessary loan funds to meet known emergency disaster needs of the Virgin Islands.

#### GENERAL PROVISIONS

##### WAIVER OF STATUTES OR REGULATIONS FOR ASSISTANCE

The conference agreement retains a provision proposed by the Senate allowing the

Secretary of any department to waive any statute or regulation that the Secretary administers in connection with the obligation of funds for domestic assistance. The Secretary may also specify alternative requirements to the statutes or regulation being waived. Civil rights, fair housing and non-discrimination, the environment, and labor standards statutes and regulations could not be waived. The Secretary must find that the waiver is required to facilitate the obligation of the assistance and would not be inconsistent with the statute or regulation being waived. The House bill contained no similar provision.

This provision has been included in past disaster appropriations bills. The managers expect this provision to be implemented in a manner similar to past practices and only in those cases where not waiving the statutes or regulations would cause unnecessary and significant delays in assistance.

##### PRIORITIES OF ALLOCATION OF EMERGENCY FUNDS

The conference agreement deletes a provision proposed by the Senate that funds for emergency or disaster assistance programs for USDA, HUD, EDA, SBA, the National Park Service and the U.S. Fish and Wildlife Service could be allocated in accordance with the prioritization process of the respective department. The House bill contained no similar provision.

In developing this conference agreement, the managers have carefully developed the priority considerations for funding the various activities included in it. For the most part, there are no restricting allocations imposed in this conference agreement on the funding provided for disaster assistance. Priorities on allocations have only been imposed where specific concerns needed to be addressed. Because these matters were addressed on a case by case basis, the general provision has been deleted.

##### DISASTER ASSISTANCE OFFSETS

The conference agreement deletes a provision proposed by the Senate that the conference agreement should include sufficient reductions and savings to offset the funding provided for disaster assistance. The House bill, which did include offsets for disaster funding, contained no similar provision. Since this conference agreement does include the necessary offsets, this provision has been complied with and is no longer necessary.

##### BUDGET TREATMENT OF DISASTER ASSISTANCE

The conference agreement deletes a provision proposed by the Senate to have Congress address the manner in which disaster assistance is provided and develop a long-term funding plan for the budget treatment of disaster assistance funding. The House bill contained no similar provision.

This matter has been reviewed several times, and the managers agree that another review and analysis would only delay any decision on possible changes in how the budget treatment of these type appropriations is handled. The conferees agree that the results of previous analyses should be considered as future budget resolutions are developed to see if any changes might be warranted.

##### RESTRICTION ON EXPENDITURES

The conference agreement deletes a provision proposed by the Senate that would have restricted non-defense expenditures to certain fixed amounts if the funds in this conference agreement and other previous Acts would cause these amounts to be exceeded. The House bill contained no similar provision.

Because the funding included in this conference agreement is either within the spending limits or is offset herein, this provision is no longer necessary.

#### ADDITIONAL SUPPLEMENTAL APPROPRIATIONS

On April 12, 1996, the President forwarded to the Congress a supplemental appropriations request for various counter-drug programs. The conferees express their intent to fund these additional requirements in the fiscal year 1997 appropriations process.

#### TITLE III.—RESCISSIONS AND OFFSETS

##### CHAPTER 1

##### ENERGY AND WATER DEVELOPMENT

##### SUBCHAPTER A—UNITED STATES ENRICHMENT CORPORATION PRIVATIZATION

The conference agreement includes language contained in the Senate bill authorizing the Board of Directors of the United States Enrichment Corporation to transfer the interest of the United States in the United States Enrichment Corporation to the private sector.

##### SUBCHAPTER B—BONNEVILLE POWER ADMINISTRATION REFINANCING

The conference agreement includes language contained in section 3003 of the Senate bill regarding refinancing of Bonneville Power Administration debt.

##### CHAPTER 2

##### FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS

##### EXPORT AND INVESTMENT ASSISTANCE

##### EXPORT-IMPORT BANK OF THE UNITED STATES SUBSIDY APPROPRIATION

##### (RESCISSION)

The conference agreement rescinds \$42,000,000 of the unobligated balances available under this heading instead of \$41,000,000 as proposed by the House. The Senate had proposed a rescission of \$25,000,000 from funds made available under this heading in Public Law 104-107.

##### CHAPTER 3

##### DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

##### DEPARTMENT OF ENERGY

##### STRATEGIC PETROLEUM RESERVE

The managers have agreed to sell \$227,000,000 worth of oil from the Weeks Island site of the Strategic Petroleum Reserve (SPR). The Weeks Island site in Louisiana is currently being decommissioned and the oil is being relocated to other SPR locations because of a water intrusion problem. This sale is proposed to offset partially additional funding provided for high priority education programs identified by the Administration. To pay for decommissioning of the site, 5.1 million barrels of the 70 million barrels of Weeks Island oil have already been sold in fiscal year 1996. An additional 12 million to 15 million barrels will need to be sold to realize \$227 million in revenues.

##### CHAPTER 4

##### DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION

##### DEPARTMENTS OF HEALTH AND HUMAN SERVICES

The conference agreement includes a provision as proposed by the Senate rescinding funding available but unclaimed by States under the Job Opportunities and Basic Skills program.

##### DEPARTMENT OF EDUCATION

The conference agreement includes a provision that was not included in either the House or Senate bill reducing the amount of new funding for the Pell Grant program by \$53,446,000. Because of the substantial amount of funding carrying forward in FY 1996 from previous appropriations, this reduction will not reduce the amount of funding actually expended for Pell Grants in FY 1996.

The conference agreement does not include a general provision proposed by the Senate (section 3014) that expressed the sense of the Senate with respect to funding for the Low Income Home Energy Assistance Program (LIHEAP).

#### MILITARY CONSTRUCTION (RESCISSIONS)

The conference agreement rescinds a total of \$37,500,000 from funds appropriated for fiscal year 1996 (Public Law 104-32), instead of no rescissions as proposed by both the House and the Senate. The conferees agree to rescind the following sums from the following accounts:

Military Construction, Army .....	\$6,385,000
Military Construction, Navy .....	6,385,000
Military Construction, Air Force .....	6,385,000
Military Construction, De- fense-wide .....	18,345,000
<b>Total .....</b>	<b>37,500,000</b>

The conferees agree to rescissions in the Army, Navy, and Air Force accounts in order to bring the fiscal year 1996 appropriation amounts into conformance with authorization. The conferees emphasize that the construction programs funded by these accounts will not be changed by these rescissions, and that no project will be reduced in scope or canceled.

With regard to the "Military Construction, Defense-wide" account, the conferees agree to the following rescissions:

Energy Conservation In- vestment Program .....	\$10,000,000
Planning and Design .....	8,345,000
<b>Total .....</b>	<b>18,345,000</b>

In the case of the Energy Conservation Investment Program, the conferees agree to the rescission of \$10,000,000 in order to bring the program into conformance with authorization, and \$40,000,000 remains available for this program in fiscal year 1996. In the case of Planning and Design funds, the conferees agree to the rescission of \$8,345,000 which is not required at this time, and \$60,492,000 remains available in fiscal year 1996.

#### DEPARTMENT OF DEFENSE—MILITARY RESCISSIONS

The House and Senate bills contained rescissions proposed by the President or transfers of previously appropriated Department of Defense funding in order to fully offset the new defense appropriations in their respective bills. In this chapter, the conferees recommend total rescissions of \$994,900,000, which totally offset the new appropriations contained in Title II, Chapter 7 of the conference report, as well as funds provided for the transfer of F-16 aircraft to Jordan in Title II, Chapter 4.

A summary of rescissions showing House, Senate, and conference recommendations by appropriation account is in the following table:

RESCISSIONS (Dollars in thousands)			
Appropriation	House	Senate	Con- ference
Missile Procurement, Air Force 1995/ 1997 .....	\$310,000	\$310,000	\$310,000
Other Procurement, Air Force 1995/ 1997 .....	265,000	265,000	265,000
Research, Development, Test and Eval- uation, Air Force 1995/1996 .....	245,000	245,000	245,000
Research, Development, Test and Eval- uation, Army 1996/1997 .....	9,750	7,000	19,500
Research, Development, Test and Eval- uation, Navy 1996/1997 .....	17,500	12,500	45,000
Research, Development, Test and Eval- uation, Air Force 1996/1997 .....	22,450	16,000	69,800

#### RESCISSIONS—Continued (Dollars in thousands)

Appropriation	House	Senate	Con- ference
Research, Development, Test and Eval- uation, Defense-wide 1996/1997 .....	20,300	14,500	40,600
<b>Grand Total .....</b>	<b>890,000</b>	<b>870,000</b>	<b>994,900</b>

#### CHAPTER 7

##### DEPARTMENT OF TRANSPORTATION

##### FEDERAL AVIATION ADMINISTRATION

##### GRANTS-IN-AID FOR AIRPORTS

##### (AIRPORT AND AWAY TRUST FUND)

##### (RESCISSION OF CONTRACT AUTHORIZATION)

The conference agreement includes a rescission of \$664,000,000 in contract authority from the grants-in-aid for airports program as proposed by the Senate. The rescission of contract authority applies to those funds that are not available for obligation due to annual limits on obligations. The House bill contained no similar rescission.

##### FEDERAL HIGHWAY ADMINISTRATION

##### HIGHWAY-RELATED SAFETY GRANTS

##### (HIGHWAY TRUST FUND)

##### (RESCISSION OF CONTRACT AUTHORIZATION)

The conference agreement includes a rescission of \$9,000,000 in contract authority from highway-related safety grants. The rescission of contract authority applies to those funds that are not available for obligation due to annual limits on obligations. The House and Senate bills contained no similar rescission.

##### MOTOR CARRIER SAFETY GRANTS

##### (HIGHWAY TRUST FUND)

##### (RESCISSION OF CONTRACT AUTHORIZATION)

The conference agreement includes a rescission of \$33,000,000 in contract authority from motor carrier safety grants. The rescission of contract authority applies to those funds that are not available for obligation due to annual limits on obligations. The House and Senate bills contained no similar rescission.

##### NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

##### HIGHWAY TRAFFIC SAFETY GRANTS

##### (HIGHWAY TRUST FUND)

##### (RESCISSION OF CONTRACT AUTHORIZATION)

The conference agreement includes a rescission of \$56,000,000 in contract authority from highway traffic safety grants. The rescission of contract authority applies to those funds that are not available for obligation due to annual limits on obligations. The House and Senate bills contained no similar rescission.

#### INDEPENDENT AGENCIES

##### GENERAL SERVICES ADMINISTRATION

##### (RESCISSION)

The conferees have agreed to rescind \$3,400,000 from funds made available to the General Services Administration (GSA) for installment acquisition payments instead of the \$3,500,000 rescission as proposed by the Senate and no rescission as proposed by the House. This rescission offsets the \$3,400,000 in new budget authority for the Office of National Drug Control Policy (ONDCP) as discussed in Chapter 9 of Title II of this Act.

The conferees have agreed to no rescission of funds made available to GSA for advance design (\$200,000) and the U.S. Tax Court (\$200,000) as proposed by the Senate. The House did not address this rescission.

#### CHAPTER 9

##### DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOP- MENT AND INDEPENDENT AGENCIES FEDERAL EMERGENCY MANAGEMENT AGENCY

##### DISASTER RELIEF

##### (RESCISSION)

The conferees have proposed a rescission of \$1,000,000,000 of disaster relief funds to help off-set appropriations levels provided in H.R. 3019. Such disaster funds were provided in the disaster relief and disaster relief contingency fund accounts in Public Law 104-19.

The conferees expect that this rescission will leave the Federal Emergency Management Agency approximately \$1,300,000,000 short of known or expected requirements by the end of fiscal year 1997. As such, it is expected that FEMA will request an appropriate supplemental budget request to meet necessary requirements at an early point during fiscal year 1997.

#### CHAPTER 10

##### DEBT COLLECTION IMPROVEMENTS

The conferees have agreed to include and amend a provision proposed by the Senate which addresses debt collection improvements, instead of no provision as proposed by the House. The conferees have modified the provision so that it more closely resembles the Debt Collection Improvement Act of 1995, as developed by the Government Reform and Oversight Committee of the House of Representatives. The conferees have not included language as proposed by the Senate which would have permitted non-judicial foreclosure of mortgages.

The conferees direct that the Office of Management and Budget (OMB) provide coordination and oversight for development and implementation of the debt collection program created by this section. Additionally, with regard to the Debt Collection Improvement Account, the conferees direct the OMB to determine the baseline from which the increased collections are measured over the prior fiscal year, taking into account the recommendations made by the Secretary of the Treasury in consultation with creditor agencies.

The conferees strongly support repayment of delinquent government debt by all those who can afford to do so. However, the conferees recognize that those who receive federal benefits, particularly Social Security benefits, may be dependent upon them for a substantial part of their income. In order to avoid unreasonable hardship, the conferees insist that any federal debt collection effort give full consideration to the financial situation of the individual who may repay the debt.

By definition, recipients of Social Security benefits are elderly or totally disabled workers and their dependents, or the surviving dependents of deceased workers. The conferees intend that in cases where such benefits are involved, it is particularly important for the Treasury Department as well as all other Executive Branch organizations involved in developing regulations to implement this provision, to create regulatory safeguards which separate those debtors who cannot repay from those who refuse to pay. In particular, those who have become delinquent because of personal hardship, such as debilitating disability, or death of the breadwinner, and who may therefore be unable, rather than unwilling, to repay, must be protected if administrative offset of those benefits would cause undue financial hardship. Such safeguards are critical when benefits such as Social Security are the sole or major source of income for the debtor.

The conferees want to ensure that the Department of the Treasury regulations governing new debt collection procedures will be

cautiously and thoughtfully implemented, providing full safeguards for beneficiaries. Recognizing the dependence of those receiving federal benefits on those benefits, the conferees direct that the Treasury Department limit automatic withholding of benefits above the \$9,000 annual exemption to a reasonable percentage of those benefits, not to exceed 15 percent. Of course, debtors wishing to repay more would be free to do so by remittance or other voluntary means.

The conferees agree that it is particularly important to recognize that individual circumstances change and even an individual with a good repayment record could face a personal or financial misfortune that makes further repayment difficult, if not impossible. For example, the death of the family breadwinner, despite the payment of survivor benefits, could indicate a substantial loss of income to a family. To suddenly or excessively reduce a surviving dependent's benefits could further threaten an already precarious economic situation for the affected dependent.

#### CONTINGENT APPROPRIATIONS

The conference agreement does not include any appropriations which would have been available only on the enactment of subsequent legislation that would have credited the Committees on Appropriations with sufficient savings to offset these appropriations. The House bill and the Senate amendment both contained this type of contingent appropriations but in different amounts. In lieu of providing any such contingent appropriations the conference agreement includes regular appropriations and offsetting savings above the regular appropriations or offset amounts in either the House or Senate passed versions of the bill. The additional amount of offsets result in this conference agreement being within the designated spending limits.

#### ENVIRONMENTAL INITIATIVES

The conference agreement does not include a separate title on environmental initiatives as proposed by the Senate. Instead these issues have been addressed in other parts of the conference agreement.

#### DISCLOSURE OF LOBBYING ACTIVITIES BY FEDERAL GRANTEES

The conference agreement deletes a provision requiring disclosure of lobbying activities by Federal grantees as proposed by the House. The Senate amendment contained no similar provision.

#### DEFICIT REDUCTION LOCK-BOX

The conference agreement deletes a provision proposed by the House that would have reduced the Committees on Appropriations spending allocations when spending reduction amendments are adopted during consideration of appropriations bills in either body. The Senate amendment contained no similar provision.

#### CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1996 recommended by the Committee of Conference, with comparisons to the fiscal year 1995 amount, the 1996 budget estimates, and the House and Senate bills for 1996 follow:

New budget (obligational) authority, fiscal year 1995 .....	\$374,952,232,061
Budget estimates of new (obligational) authority, fiscal year 1996 .....	404,545,750,093
House bill, fiscal year 1996 .....	382,607,656,000
Senate bill, fiscal year 1996 .....	384,492,162,999
Conference agreement, fiscal year 1996 .....	380,684,327,000

Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1995 .....	5,732,094,939
Budget estimates of new (obligational) authority, fiscal year 1996 .....	-23,861,423,093
House bill, fiscal year 1996 .....	-1,923,329,000
Senate bill, fiscal year 1996 .....	-3,807,835,999

#### VOTE ON THE MINIMUM WAGE

The Speaker pro tempore. Under a previous order of the House, the gentlewoman from North Carolina [Mrs. CLAYTON] is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, a vote on the minimum wage should no longer be blocked by the majority leadership. This last vote to prevent a vote on the minimum wage by this body is out of step with the American people. The American people want a vote—at least 8 out of 10 of them.

Democrats want a vote—some 119 are cosponsors of the minimum wage bill.

At least 23 Republican House members want a vote.

A vote on the minimum wage increase is unavoidable.

The majority leader continues to resist a vote, showing a lack a compassion and understanding for the plight of poor, working families.

Let's have a vote now.

Some 13 million American workers deserve an increase in the minimum wage because it is the fair thing to do—it is the right thing to do.

Minimum wage workers now earn about 50 cents less than they earned 40 years ago if the value of what they earned then is compared to the value of what they earn now.

It is discouraging, Mr. Speaker, for a citizen to work, full-time, and see their earnings go down, while corporate profits and executive salaries continue to go up.

It is even more disheartening when some in Congress are pushing for a tax break for these same wealthy executives, while pushing for a tax increase on America's workers.

Eliminating the earned income tax credit, which primarily benefits the working poor, while refusing to raise the minimum wage, is unfair and unjust.

The 117,000 minimum wage workers in North Carolina, and the millions of others throughout the United States, deserve better.

Middle- and moderate-income Americans now feel the squeeze between profits and wages as much as the low income and the unemployed.

Almost half of the money in America is in the hands of just 20 percent of the people. That top 20 percent is made up of families with the highest incomes. The bottom 20 percent has less than 5 percent of the money in their hands. A modest increase in the minimum wage could help the bottom 20 percent, and, it will not hurt the top 20 percent.

The President has proposed such a modest increase in the minimum wage—an increase of 90 cents, over 2 years. Such an increase would mean an additional \$1,800 a year for the working poor.

That amount of money makes a big difference in the ability of families to buy food and shelter, to pay for energy to heat their homes, and to be able to clothe, care for, and educate their children.

That amount of money makes the difference between families with abundance and families in poverty. An increase in the minimum wage won't provide abundance, but it can raise working families out of poverty.

While the cost of bread, milk, eggs, a place to sleep, heat, clothing to wear, a bus ride, and a visit to the doctor has been going up, the income of low-, moderate-, and middle-income people has been going down.

Without an increase in the minimum wage, those with little money end up with less money. That is because the cost of living continues to rise.

Let's bring minimum wages into the modern age. Let's support H.R. 940, a bill that will help create a livable wage for millions of workers by permitting a modest increase in the minimum wage.

This Congress should pass the minimum wage increase.

It is the right thing to do. It is the fair thing to do.

Mr. RIGGS. Mr. Speaker, will the gentlewoman yield?

Mrs. CLAYTON. Mr. Speaker, I yield to the gentleman from California.

Mr. RIGGS. Mr. Speaker, I just wanted to point out that I am one of those Republicans who strongly supports the increase in the minimum wage, believes that it ought to be coupled with welfare reform. I know the gentlewoman has been very outspoken in regards to her feelings regarding welfare reform, but I would certainly hope that we could pursue this issue on a bipartisan basis with the ultimate goal of making work more attractive than welfare.

Mrs. CLAYTON. Mr. Speaker, I agree with the gentleman.

Mr. RIGGS. The principal reason that I support the increase in the minimum wage is so an entry-level minimum-wage job will ultimately pay more than welfare benefits do currently in the aggregate for those folks who want to make that difficult transition, with proper support and assistance from the Government and from taxpayers, from welfare to work. I wanted to point that out to her.

Mrs. CLAYTON. Mr. Speaker, I welcome the gentleman's comment. I think we should make work pay. When we do not make work pay, we make work a burden, so those who are on welfare will want to stay on welfare if they cannot find enough to provide for their basics. Raising the minimum wage will allow for people to be self-supporting and to provide for their families, without the Government having to do it.

So it is not inconsistent. I think it is consistent with a good welfare reform system, a good minimum wage, so increase the minimum wage as we move people to work. I appreciate the gentleman's remarks.

#### ARMS EMBARGO IN BOSNIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. COX] is recognized for 5 minutes.

Mr. COX of California. Mr. Speaker, during his recent circumnavigation of the planet, President Clinton told the G-7 summit leaders that they should join with him in urging Russia to put the squeeze on Iranian mullahs who are shipping arms, in particular shipping arms to the Hezbollah guerrillas in Lebanon.

While the President was calling on our allies to pressure Iran, and while the President and the Clinton administration were calling the Iranian terrorists, quote, "the main source of international terrorism," and while publicly condemning Iran's shipment of arms to the Hezbollah guerrillas in Lebanon, Bill Clinton was secretly and simultaneously conniving at even bigger Iranian arms shipments to Bosnia.

Let us look at the history of this. On May 30, 1992, the United States imposed an arms embargo on the former Yugoslavia. The United States supported it, and when spy photographs showed Iranian 747's unloading illegal arms shipments in Zagreb, our State Department told us and told the world that we raised hell.

That was the United States' policy that candidate Bill Clinton opposed. Candidate Bill Clinton said he supported lifting the arms embargo in Bosnia, not so that Iran could sell weapons to the Bosnian Moslems, but rather so they could receive support from United States allies like Saudi Arabia and Turkey.

□ 1400

As President, he promised when he was a candidate, he would lift the unfair United Nations arms embargo against Bosnia. But once in office, Bill Clinton completely changed his mind. He broke that pledge, broke that promise, and opposed lifting the arms embargo.

He reversed his position because, he said, it would be wrong for any international arms shipments to go to Bosnia. It would "Convert a complex ethnic war into an American responsibility. The United States must, therefore, oppose any international arms shipments to Bosnia."

The Congress, however, voted to lift the arms embargo and sent the President a bill. It was not quite unanimous, but it was hugely bipartisan. Democrats and Republicans in the House and Senate sent the President a bill so that we could, through our allies, help the Bosnian Moslems to defend themselves. The President vetoed that bill. He said

nobody, not Turkey, not Saudi Arabia, none of our friends, least of all the United States of America, could help arm the Bosnian Moslems.

The President assured not only Congress, but the American people and allies, like Britain and France, that he was staunchly opposed to lifting the arms embargo. And without telling even our own Joint Chiefs of Staff, it now develops the President secretly let it be known in Iran that the United States would not oppose huge, illegal arms shipments to the Bosnian Moslems.

Huge quantities of weapons, accompanied by Iranian intelligence agents and mujahedin rebels, were thus shipped into Bosnia, by a regime that the Clinton administration publicly was branding as the financier, the armorer, the trainer, the safe haven, and inspiration for terrorists. These are the people that the secret Clinton policy, that Bill Clinton himself, secretly was introducing to Europe.

As the U.S. Assistant Secretary of Defense was using those exact words I just quoted, the financier, armorer, trainer, safe haven, and inspiration for terrorists, the description of Iran, he was using those exact same words in his testimony to Congress. His boss in the White House, Bill Clinton, knew that up to eight cargo jets each month were taking off with Iranian arms bound for Bosnia. There can be no question that this was duplicitous.

Right now congressional committees are preparing to investigate this sordid matter, to determine whether laws were broken governing illegal covert operations and governing failure to report truthfully to the Congress.

But while it remains to be seen whether and, if so, which laws were broken, there is no question that the President broke his word to this Congress and to the American people. There can be no question that the President broke his word to France and to England. In briefs prepared for John Major and Jacques Chirac at the G-7 Summit, unknown to the President, they had incontrovertible proof that the President had lied publicly to them.

It is incumbent upon this Congress to take this matter with the utmost gravity and to investigate it so that we can restore the good word of the American people around the world.

#### HELPING WORKING AMERICANS THROUGH AN INCREASE IN THE MINIMUM WAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Ms. DELAURO] is recognized for 5 minutes.

Ms. DELAURO. Mr. Speaker, my Republican colleagues continue to refuse to allow a vote on the minimum wage. It was only minutes ago in this body that they once again rejected a democratic effort to bring the minimum wage increase to the floor for a vote. I

might add that in that vote were 15 Republican colleagues who only days ago, along with a few others, who said that they were splitting with their leadership; they believed that we ought to pass a minimum wage, and that that vote ought to be brought up in this body. Fifteen of them, when they had the opportunity, they would have made the difference in the vote, so that the people's House, the House of Representatives, could have voted to raise the minimum wage a mere 90 cents.

As a matter of fact, because I was watching the clock, when there was about 220 votes, that is enough in order to defeat the opportunity to bring the vote up, several of them hung back, waited until it was lost, and then cast their vote against bringing it up. Talk about profiles in courage? Real courage. But it is nice to get the press accounts in the last few days of how you break with leadership and call for a minimum wage. And when you have the opportunity which this body afforded only a few minutes ago, they took a walk. I am sure that their constituents are going to take a hard look at this vote.

I have bad news for those who oppose a fair minimum wage. We are not done. We will be back, again and again and again, until we see the minimum wage increased in this country.

We will not give up, because there is a lot at stake in this minimum wage debate and in this vote. This debate is not about yet another way for my Republican colleagues to reward the rich and the powerful in this country. It is not another perk for those in power or a payoff to some special interest lobby. What is at stake here is whether or not this Congress will honor and reward hard work and tell the hard working men and women in this Nation that we care about what you do, we honor what you do, and we know what a difficult struggle it is every single week to scramble, to pay those bills, to make sure that your kids can go to college. And then, my God, after these years of work, that you can have a decent and dignified and secure retirement.

We will tell minimum wage workers that we respect that valiant struggle. The minimum wage is already at a 40-year low. It continues to plummet in value. And what we do is we discourage people from working. We say to people, go ahead, be on welfare.

That is crazy. We want to reward work in this country. That is what it is all about. That is what the people are about, that is what my folks are about. They worked hard. They worked hard to be able to send me to school. And people who are doing that ought to understand that those who they elect are going to reward that hard work.

Who are the typical minimum wage workers? The typical minimum worker is a woman. Almost two-thirds are adults, 20 years of age or older. Do not let them get away with saying the minimum wage workers are teenagers. They are not. That is not true.

The average minimum wage worker brings home half of his or her family's earnings, and about 40 percent of this Nation's minimum wage workers are the sole bread winner of their family. A full-time minimum wage worker makes \$8,500 a year. It is less than what people on welfare do get today in this country.

Think about it. An increase in the minimum wage would help working men and women who are providing the only source of income for their families, and we could honor their hard work. These are the ordinary folks, average people, waiters, waitresses, people who wash the dishes. They are struggling everyday.

Do you know that when the Government shut down in December, the Members of this body, Members of Congress who make over \$130,000 a year, they got more in that period of shutdown than a full-time minimum wage worker makes in an entire year?

It is wrong. Raise the minimum wage. Let us do it now. Let us bring this up for a vote.

#### TRIBUTE TO DORIS PIKE, VOLUNTEER AND LAWMAKER'S WIFE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. FORBES] is recognized for 5 minutes.

Mr. FORBES. Mr. Speaker, I rise today because earlier this week the world got just a little bit dimmer with the passing of a wonderful woman from Riverhead, Long Island, by the name of Doris Pike.

Mr. Speaker, many people remember Doris Pike as the very pleasant, engaging wife of former Congressman Otis G. Pike, who so ably served Long Island in this body from 1961 to 1979.

But Doris Pike in her own right was a woman of note. She was an educator, somebody who devoted over 25 years as a volunteer, teaching immigrant students English. For 25 years she took those immigrant students, those with various different languages, 14 different languages, I believe, and she taught them English at Patchogue-Medford High School and later Riverhead High School.

She was married to a distinguished Member of this body who in his own right was extremely popular and had a dynamic and strong personality. But Doris Pike herself developed her own persona among the people of Long Island. They came to know and love her because of her many acts of charity, her volunteer work, her great sense of humor.

As her husband Otis Pike said, she was a most unpretentious woman. He recalled an evening when they were invited to the White House, for example, when she wore a beautiful long evening gown and decided that with that gown she was going to wear her bedroom slippers. When questioned by her husband, she said nobody looks at your feet anyway. As the Congressman re-

membered, in fact, they went to that White House affair, and indeed nobody looked at her feet anyway.

Otis Pike, I join with him and his daughter Lois and his sons Doug and Rob, in mourning the passing of this most generous and wonderful woman, Doris Pike. She was a long-time trustee of Dowling College, and she so believed in the value of education that she set up on her own Doris Pike College Fund, in which she attempted each year to fund the tuition expense of one student.

In her office at home, she had a sign that said "A teacher affects eternity. She can never tell where her influence stops."

My colleagues, ladies and gentlemen, Doris Pike was a woman of great stature, and she in her own way has affected eternity, and we will mourn her and we will miss her.

#### TIME TO VOTE ON A MINIMUM WAGE INCREASE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas, Mr. GENE GREEN, is recognized for 5 minutes.

Mr. GENE GREEN of Texas. Mr. Speaker, in just a few minutes we will be going to the budget agreement that I want to congratulate not just the majority Members, but also the whole Congress, because we finally have a budget agreement that, and I know I have heard this morning a lot of my colleagues on the Republican side talking about how it saves the tax dollars, and it does, and that is great. But it also restores a great many of the devastating education cuts that we have been talking about on this floor for months and months.

What it does is it shows us we can have a balanced budget in 7 years, just like the President talked about, and still have investment in education and job training and those issues that we know are not just for today, that they are for next year and 5 years from now.

But the reason I asked for 5 minutes this afternoon, Mr. Speaker, is to talk about it is time to have a clean vote on the minimum wage increase.

Working Americans support an increase in the minimum wage. In fact, the latest poll I saw showed that 83 percent of Americans support an increase in the minimum wage. In fact, just today I see reported that we are not going to have a vote on this floor on a minimum wage increase. I think that hurts not only the Congress, but the majority, but I also think it hurts a lot of good, hard-working people in our country who are trying to struggle on \$4.25 an hour.

Americans know the real value of the minimum wage has declined in the past 15 years and the minimum wage earners have not seen an increase since April 1, 1991, 5 years ago, Mr. Speaker. During that time, with inflation 3 percent a year on the average, we see that percentage increasing.

We have a bipartisan bill that has been introduced by some of my majority Republican colleagues, 20 Members I understand, and I am a cosponsor of that bill, to increase the minimum wage. Yet we see that we are not going to have a vote on it. I know some Members on the majority Republican side are disappointed just like those of us on the Democratic side.

There is a proposal though, not the bipartisan bill, but there is a proposal we heard about, and again in speeches today from the majority, that the minimum wage would remain at \$4.25, but we would continue to talk about a Federal Government subsidy for employees with families. So what we are seeing is an increase in this big Government in Washington. We have heard now for over a year, a year and 4 months, how we need to not have big Government in Washington. Yet we are going to, instead of businesses who can earn, who are depending on those people making \$4.25 an hour to produce a product, we are going to subsidize them from this big Government in Washington.

It is like the world turned upside down, Mr. Speaker. I just do not understand it, just being a Member from Houston and understanding that the minimum wage, typically you earn that. We do not need any more subsidies for people who have families. We want a decent wage for a decent job being done, and to get these people off welfare.

□ 1415

The biggest problem I think we have, and the majority has to explain, is how a person making \$4.25 an hour working 40 hours a week is still eligible in my district for welfare benefits. What we need to do is, if we increase the minimum wage to \$5.15 an hour, a person working 40 hours a week would then no longer be eligible for welfare. They would actually be able to work their way off of this subsidy that they may be receiving and the expanded subsidy I hear the majority party may be talking about.

That is what is wrong. We need to make sure that they can earn that money to keep themselves, get themselves off welfare. And that is why it is amazing to me that instead of just increasing the minimum wage to where businesses will pay their employees a minimum wage reasonable enough to get them off of welfare, that we are coming up with ways that the government can subsidize it and say, well, we really need to do even more on an earned income tax credit, or do even more for providing for these families.

These families want to work and earn a living. They do not want the government to provide it, and that is why it is so important that we provide for a livable wage for the minimum wage. America's families are working harder than ever and we know that. We see the polls. We see what is happening.

The disparity between the highest paid people in our country and the lowest paid is getting higher and higher.

We need to respond to that as members of Congress, not just as Democrats but as a Congress, because we need to make sure that disparity is not there. The beauty of America has always been that we have a middle class and the hope for people to go into that middle class. And yet what we see is the disparity is getting bigger. The people who make the most are making more money and the people who make less are making even less.

Mr. Speaker, I understand we are getting ready to go to the budget, but I would hope we would also see sometime in the near future a clean vote on the minimum wage issue.

#### CONFERENCE REPORT ON H.R. 3019, BALANCED BUDGET DOWN PAY- MENT ACT, II

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104-538) on the resolution (H. Res. 415) waiving points of order against the conference report to accompany the bill (H.R. 3019) making appropriations for fiscal year 1996 to make further downpayment toward a balanced budget, and for other purposes, which was referred to the House Calendar and ordered to be printed.

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 415 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 415

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3019) making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, for purposes of debate only, I yield 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. SOLOMON asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. SOLOMON. Mr. Speaker, the rule before us will allow us to immediately consider the conference report on H.R. 3019. It is the Balanced Budget Downpayment Act II. The rule waives all points of order against the conference report and its consideration, and it provides that the conference report be considered as read.

Mr. Speaker, this is a day that has been a long time coming as we wrap up the remaining five regular appropria-

tions bills for fiscal year 1996 whereby we will have a full budget in place for this year. Notwithstanding all the short-term continuing resolutions and all of the long, hard, and tough negotiations on this bill, the wait has been well worthwhile, in my opinion.

This truly is a historic day when one considers that we are making this substantial downpayment toward a balanced budget that we promised at the beginning of this Congress.

Mr. Speaker, on any bill of this magnitude, with all of the complex and all of the difficult issues to be resolved, I think it is fair to say that no one is happy with every aspect of the final conference agreement, certainly not this Member. But I would strongly urge every single Member to come over here and keep their eyes on the big picture of what this is all about, and what this is all about is, make no mistake about it, reducing the size and the role of this Federal Government and putting this country once again on a second fiscal footing by taking the first big steps toward a balanced budget by the year 2002, and this bill today does just that.

The Congressional Budget Office recently projected that the fiscal year 1996 deficit would fall to \$144 billion. That is not million, that is billion dollars, and that is \$28 billion below last December's projection. And make no mistake about it, the Congressional Budget Office confirms that our actions on appropriation bills for this fiscal year have played a major role in bringing about this downturn in spending.

Mr. Speaker, our final action today on these remaining five appropriation bills will contribute even further to that deficit reduction effort. When this bill is signed into law, and the President is going to sign it, we will have saved \$23 billion from last year's spending levels alone. That is \$23 billion below last year's spending. Who would have ever imagined we could have made such substantial strides? Just our first full year? And that is added to another, and this is important to remember, we have already cut \$23 billion, but if we add that to the \$20 billion in savings that we made in fiscal year 1995, in savings and rescissions, when we add all that up, it means that we have saved some \$43 billion since we took control of this Congress in January of 1995, \$43 billion.

Mr. Speaker, one can say we even outdid ourselves when we consider that we have saved \$2 billion more than our budget resolution projected in discretionary spending, \$2 billion more than we even said we were going to. That, my friends, is a record of accomplishment which we can all be very, very proud. I know I am. And it is one which will benefit the American people, and it will benefit the economy of this Nation, which means jobs, jobs, jobs, jobs.

Interest rates will be lower than the CBO projected; the economy is growing faster than the CBO projected; and in-

flation has been lower than CBO projected, all because we have had the courage to stick by our convictions and our commitments and to make those hard votes on the floor of this Congress, and, ladies and gentlemen, they were hard, but that is the only way we get this kind of savings to put the fiscal house in order of this Government.

Mr. Speaker, what does all this mean? It means the \$43 billion in savings we have made in fiscal years 1995 and 1996 translates into money we will not have to borrow. It means we do not have to borrow another \$43 billion, it means less debt and it means less interest for our children and our grandchildren to have to pay, already \$5 trillion in debt requiring \$250 billion in interest payments alone annually. We are not going to add to that. It means an ever expanding economy with more opportunities for more jobs, better jobs, and better pay because we are reducing the cost of Government by bringing our own fiscal house in order.

Mr. Speaker, that is really what this whole debate today is all about. Yes, there has been a great deal of give and take between the President and the Congress in these difficult negotiations. That is all a part of the political process. It is the toughest part to learn sometimes when one is principled and believes very strongly in the things they believe in. But the art of compromise is something that Ronald Reagan taught all of us that we had to live by in order to accomplish anything.

But let me emphasize the fact that for all the areas in which some concessions have been made to the administration there have been offsets to pay for them, and we are going to hear during the next hour of debate all the restorations that were made, whether it was in education or the environment or in other areas. But every single dollar that was restored over what we wanted to cut has been offset with cuts elsewhere, so we have not given in one thin dime, and that is how we realize the savings we have today.

In the process of arriving at this mutually agreed upon budget we have managed to eliminate, and this is so terribly important because it also is what this debate is all about, we have eliminated, that means we have zeroed out, 200 programs, while still paying for emergency supplemental funding for such things as disaster assistance, and goodness knows we have had enough of that with all the disasters throughout the country lately, and also our troop deployment in Bosnia. That is all paid for and yet we still have realized these very significant savings.

Mr. Speaker, I especially want to commend the gentleman from Louisiana, Chairman LIVINGSTON, and his Committee on Appropriations for making the very hard choices and for sticking with our core values of providing a better future for this country by reducing the deficit and reducing that public debt.



When we consider where we were at the beginning of this Congress, I do not think anyone would have predicted we would have been capable of this degree of success in just this short space of time. I think we owe a great deal of gratitude to the gentleman from Louisiana, Chairman LIVINGSTON, who has worked hand in glove with our leadership and the Senate leadership in negotiating this final agreement.

But, Mr. Speaker, let us be under no illusion that this is the end of these efforts. I do not want it to sound like this is all over and we have won, we have accomplished what we set out to do. We have a long way to go in the coming fiscal years to establish and to achieve that balanced budget and seemed so illusory just 2 years ago.

Mr. Speaker, with the passage of this final part of this year's budget we have lived up to our commitment to stick to, and this is important for everybody back in your offices listening, we are sticking to that glidepath of a balanced budget. We are even below the glidepath that we set back in January of 1995.

That is why I am going to vote for this piece of legislation, because we have not used smoke and mirrors. We have not lied to the public. We are actually cutting the deficit down and we are staying on that glidepath. In coming years there will still be many pieces that are required to balance this puzzle, but if we stick to what we are doing, if we accomplish next year what we did this year, and we do it for 5 more consecutive years after that, we will have brought this fiscal house in order and it will have saved this country from drowning in a sea of red ink.

Mr. Speaker, I strongly urge support of this rule. I strongly urge support of the bill to finally put an end to this year's budget. By passing this, we will have finally adopted the 1996 budget.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I thank my colleague from New York, Mr. SOLOMON for yielding me the customary half hour and I yield myself such time as I may consume.

Mr. Speaker, all over the country today we should be hearing a sigh of relief. The 6-month anxiety we've been feeling about possible Government shutdowns has come to an end. The bill we will vote on today will make it impossible for my Republican colleagues to shut down the Government for political reasons again, at least until October 1st.

Mr. Speaker, today the Democratic position prevailed. Today we showed that it is possible to cut spending while still supporting education, the environment, and community police.

Throughout this budget battle Democrats held tough.

Throughout this budget battle Democrats stood up for education and the environment and now that the budget battle is over the American people are having a sigh of relief.

Because thanks to the Democrats in Congress 1 million children will still be able to get extra help in math and reading.

Thanks to the Democrats in Congress our clean air and clean water acts will not be gutted.

And thanks to the Democrats in Congress we can still put 100,000 police on the street while not busting the budget.

But even though this Republican budget game has finally come to an end it's 6 months overdue.

If Republicans had worked with Democrats we could have kept the Government open. If Republicans had worked with Democrats we could have settled this 6 months ago and come a lot closer to giving the American people the kind of Government they deserve.

Mr. Speaker, there's one question the American people want to ask of Republicans in Congress, what took you so long?

Why did you wait to open up the Government and why did you hold on so long to your education and environment cuts?

I congratulate my Republican colleagues for seeing the merits of the Democratic defense of education, the environment, and community policing.

Mr. Speaker, I reserve the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield such time as he may consume to the gentleman from California, Mr. DAVID DREIER. My vice chairman of the Committee on Rules and my right arm. He is a Member of this body that came here with Ronald Reagan a couple years after I did, who helped me in introducing the first balanced budget ever to come on this floor. We did not get many votes for it back in those days, but by persevering, this gentleman, along with myself and others, have brought these balanced budgets to the floor.

□ 1430

Mr. DREIER. Mr. Speaker, I am very flattered by that. Let me say, Mr. Speaker, that I want to join in extending congratulations to the gentleman from Louisiana [Mr. LIVINGSTON], the chairman, to the gentleman from Wisconsin [Mr. OBEY], and to others who have worked to bring about this agreement. Clearly, we have gotten to the point where we are taking a step, a step in the direction towards ending the concept of big government. This does not do it, but it is a step in that direction, and I am pleased that we are going to be doing that.

During the arduous national debate on the President's massive tax increase back in 1993, the American people said, "Cut spending first." There was a clear national consensus to balance the budget by reducing the waste in government and slowing the growth of Federal spending, not by increasing taxes.

Our Contract With America was historic not for the specific policies pro-

posed but for the unprecedented effort of political candidates to make substantive legislative proposals during a campaign and then to win the election and actually proceed with implementation of those promises. This was above all an effort to address the well-founded mistrust that has existed with the American people who had grown sick and tired of Presidents and congressional majorities, both political parties saying one thing in a campaign and doing another while in office.

One of the fundamental tenets of our contract was to balance the budget by reducing Federal spending, not by raising taxes. The principle of the Republican Party resulted in a historic budget confrontation. The majority in Congress promised to balance the budget by slowing the growth of Federal spending and provide tax cuts to families so that people could spend their own money on their own priorities in the budget.

The President opposed that effort and had more than enough support from the minority in Congress to enforce his vetoes. The unstoppable force met the immovable object.

Mr. Speaker, the conference report brings the appropriations portion of the fiscal year 1996 process to a close. That in itself is a very good and positive thing. It involves compromise, but it does not change the basic fact regarding this historic effort of the Committee on Appropriations over the past 16 months.

With enactment of this legislation, the 104th Congress will have reduced Federal discretionary spending by \$23 billion in fiscal year 1996 spending. The Congress has saved the Federal taxpayers and, more importantly, their children who will pay for the Federal debt an additional \$20 billion in rescissions from the previous fiscal year. The result has been the lowest projected deficit in 14 years and the single largest reduction in Federal spending since the 1940's.

With the passage of this legislation, Congress will have terminated over 200 Federal programs. Congress has done what it promised to do and what the American people asked for. We cut spending first. Critical rhetoric will always be part of politics, but one thing that cannot be said truthfully about the 104th Congress is that we have not done what we said we would do. We cannot fully reform 40 years of big government congressional policies in just 2 years, but today we are making a very good and important start.

This is a bill that deserves bipartisan support, and I am convinced it is going to get it. It may be the product of a process that was not enjoyable to watch, but it is a product that is well worth supporting from both sides of the aisle. It is time to move ahead with fiscal year 1997 spending issues. However, be assured this majority will remain fully committed to balancing the budget by cutting spending first, not raising taxes on hard-working families



to feed the bloated Federal behemoth. It is gratifying that we have finally gotten to this point. I hope very much that we will be able to move as expeditiously as possible to pass this legislation.

I thank my friend for yielding time to me.

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana [Mr. ROEMER].

(Mr. ROEMER asked and was given permission to revise and extend his remarks.)

Mr. ROEMER. Mr. Speaker, there is an old saying that goes, if you first do not succeed, try, try again. Well, 2 Government shutdowns later, 13 continuing resolutions later, 6 months after the deadline of October later, we have finally come up, finally come up with a bipartisan solution for this year's budget. What is it? It is trying to work together in a bipartisan way but not cutting and devastating education, like the Republicans did initially. Let me talk about a couple programs that are now fully restored that never should have been cut in the first place.

Safe and drug free schools were cut by \$265 million. When we ask children in our schools what is the biggest risk they face today, they do not say an algebra test; they say drugs. Yet, they wanted to cut that program. Now it is restored. This is a good bill.

They also wanted to cut Head Start programs to keep our children learning that are at risk from dropping out, because if we do not keep them in school, they are going to get in trouble and go to jail, and we are going to have to build a prison. What would you rather do as a taxpayer? Educate our children or build jails and prisons later on?

Third, title I programs that were cut back by 16 percent, now they are fully restored. Title I educates 7 million at-risk school children, teaching them the basics so that they can learn and become productive citizens and work in good jobs later on.

Title I has been restored. Head Start has been restored. Drug free schools have been restored.

I would hope that this would be a lesson that we here in Congress will begin to work together, Republicans and Democrats, because, Mr. Speaker, this is not a victory for the Democrats because we got this education money back in. This is a victory for the American people. This is what the American people want. They want to make sure that their children can get to school and a good school and that we try new ideas in making our schools work better. They want to make sure, when Newsweek has a cover story this week that colleges can cost \$1,000 a week, that we help our students get a student loan or a student grant so that they could pursue higher education.

This is the best investment we can make in this country, investing in education for our children. It never should have been cut the first time.

As the gentleman from California [Mr. DREIER] said, we can cut spending first in Washington, DC, and cut back on committees and cut back on the overhead here and return money out of our budgets. But we should not cut education dollars for at-risk children. We should not use the budget axe on the most vulnerable people in our society, especially when we want these children getting good jobs and not ending up in trouble where they are even more of a tax burden later on.

This is a lesson, Mr. Speaker. I hope for 1997 and 1998 and so on into the future that Republicans and Democrats will work together to protect education, to cut wasteful spending here in Washington first, and to get to a balanced budget by the year 2002.

Again, I would like to thank the gentleman from Massachusetts [Mr. MOAKLEY] for his very generous extension of time to me.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume. Just briefly, the previous speaker has called, recalled an old axiom that says, if at first you do not succeed, try and try and try again. I just recall back on February 1995, when the President of the United States presented this Congress of the United States his 5-year projected budget, which called for increases of more than \$250 billion in the deficit each year for 5 consecutive years, that would have added another \$1 trillion 250 billion to the deficit.

In that same budget, he called for increases across the board. So we Republicans persevered. We were not about to increase the deficit by \$250 billion annually for 5 consecutive years. We were not about to increase spending. By persevering and trying and trying and trying again, what we have before us today is the 1996 budget that does not call for increases of huge magnitudes, it calls for a \$23 billion cut in actual spending.

That is what we have accomplished by trying and trying and trying again, and we had a lot of good support from both sides of the aisle individually coming to that.

Mr. ROEMER. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Speaker, I would just say, the gentleman knows I respect him; he and I worked together on the Russian and Chechnyan issue. I would just say that I think, if the gentleman will continue to yield to me for a little bit of time here, I think that the budget that we came up with, the blue dog coalition budget, balances the budget by the year 2002. It cuts wasteful spending out of Washington. But we did not cut a dime out of education. We did not cut a nickel out of student loans. We did not cut a penny out of Head Start programs for children at risk.

I think if the gentleman from New York [Mr. SOLOMON] and I can work together on some foreign policy issues,

certainly we Republicans and Democrats can work together.

Mr. SOLOMON. I think the gentleman may be right.

Mr. Speaker, I yield such time as he may consume to the gentleman from Sanibel, FL [Mr. GOSS], another member of the Committee on Rules who has had a great deal to do with putting this budget together over the last seven months.

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I thank the distinguished gentleman from Glens Falls, NY [Mr. SOLOMON]. Indeed, he has shown extraordinary leadership and persistence in getting us to this point. I congratulate him and, of course, all the others who have participated in what has been a very lengthy exercise.

Mr. Speaker, I rise in support of this fair rule which allows us to consider H.R. 3019, the omnibus appropriations conference report.

Mr. Speaker, this Congress was elected to change the way Washington does business: Returning fiscal responsibility to the budget process and improving accountability to the American taxpayer. This omnibus appropriations conference report reflects those principles by finalizing an appropriations cycle that cut \$23 billion from last year's levels. With its passage this Congress' total savings reach \$32 billion, the single largest real spending cut in Government spending since World War II.

This Congress has changed the way Washington works in another very important respect—setting priorities. The Clinton administration asked for \$30 billion more in indiscriminate spending but we insisted on applying the brakes. Instead of haphazardly funding every project and program, we have prioritized our limited resources and eliminated billions of dollars of low-priority spending, canceling 200 programs completely. We have recognized our responsibility to the victims of natural disasters and to our soldiers in Bosnia without breaking our contract with the American taxpayer. The concept of fiscal responsibility, which seems simple to most families in my district struggling to prioritize spending within their own budgets, marks a revolutionary change in the way this town does business. Despite some pot-holes that have slowed us down, we are on the road to a balanced budget.

I would like to highlight one example from my district of how the Federal Government can do more for less. H.R. 3019 contains language authorizing a lease for expansion of a veterans outpatient clinic in Fort Myers. Built to accommodate 40,000 visits a year, the clinic served more than 51,000 last year, with many more on the waiting list. We have come up with a way to meet the need with just over a million dollars—far less than it would have cost to build an entire new facility.

The issue comes down to fairness and providing the services where the veterans are. While many hospitals in the North remain half empty most of the year, the 150,000 veterans in southwest Florida currently must contend with one limited facility and denial of services altogether for non-service-connected injuries and illnesses. This lease, building on the innovations of the private sector, will allow more veterans to be served in a cost-effective manner.

In past years, we have received authorization but have been denied the appropriation. Today's bill ties everything together. There will be no more excuses or loopholes—we will move forward and provide for the veterans. This should be the final chapter in a long and frustrating saga, as today we finally achieve our goal and keep our contract with southwest Florida veterans. I applaud the efforts of Chairmen LIVINGSTON, LEWIS, and STUMP for their hard work to get this done.

□ 1445

The issue comes down to fairness in providing the services where the veterans are. While many hospitals in the North remain half empty most of the year, the 150,000 veterans in southwest Florida who have moved from the North to southwest Florida currently must content with one limited facility and denial of services altogether for non-service-connected injuries and illnesses, and that is just plain not fair, and it is not smart, and it is not good management. So this lease building on the innovations of the private sector will allow more veterans to be served in a cost-effective manner.

That is the kind of change that we have brought about and, I think, the kind of change America is looking for, and I applaud the efforts of the gentleman from Louisiana [Mr. LIVINGSTON], the gentleman from California [Mr. LEWIS], and the gentleman from Arizona [Mr. STUMP] for their hard work in that area.

Change for the better is not easy. It cannot be done in a moment. Those who unfairly or unnecessarily gain from the status quo resist change; we know that. But today the time has come to move forward. This is fiscal responsibility. There will never be a better opportunity to do what we should than right now.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. DINGELL], the former chairman of the Committee on Commerce.

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, I would like to tell my colleagues that this is a good clean bill and that there is no pork and no outrage here. But nothing is further from the truth. Some of my colleagues on the other side are going to be looking rather sheepish and hangdog, and they properly should. The Re-

publicans here are creating an indefensible giveaway of \$645 million to Louisiana and New Hampshire in the forthcoming conference report on the CR. The \$45 million will go to New Hampshire, \$600 million will go to Louisiana.

The pork is to reward two safe Republican States for abusing Federal taxpayers by using loopholes and accounting gimmicks to increase Federal matching payments they receive under Medicaid while depressing their own State spending. In other words, Federal spending goes up here, State spending goes down. These are scams which were popular in the 1980's during the Bush administration. They increased the Federal Government spending on Medicaid alone to a tune of \$10 billion.

Guess who the biggest abusers were? Louisiana and New Hampshire. They still are the two biggest abusers.

In 1993 we cleaned the situation up after extensive hearings in the Committee on Energy and Commerce. We passed a bipartisan measure to eliminate these abuses and to protect the Federal Treasury and at the same time to take and give consideration to the problems that the States had. We gave them 2 years to wean themselves from their addiction to these Federal payments and to get away from the Federal trough.

Unfortunately, my Republican colleagues seem to be operating under the philosophy that no bad deed should ever go unrewarded. The CR is going to reward these States with more time at the Federal trough to the tune of about \$645 million.

Louisiana, by the way, will spend these moneys not for health, but they will continue to spend them for things like roads, highways, bridges, and the prison system.

Incidentally, there are other States now who are living under the constraints of the 1993 law; that is, all 48 of the other States. It is interesting to note, however, that since this process commenced of Louisiana and New Hampshire seeking additional moneys to continue an abuse which was roundly decried as long ago as 1993, six other States are now asking that they be permitted to belly up to the trough so that they can get their share of the slop.

For 48 other States whose Members of Congress are represented here, I ask if they can explain how it is and why it is that the Congress voted for a special Federal bailout for two States who simply failed to manage their budgets properly at the expense of their own State and at the expense of the rest of the Nation.

I also ask my colleagues to be prepared to explain to the people of their States why it is after 2 years was given to these two States to clean up their act, they are given an additional time.

I know that one Presidential candidate came back not long back from New Hampshire and that very shortly thereafter disappeared in the language of the Senate bill. I wonder if this

ought to appear on the FEC report of that particular candidate.

This happens to be a genuine outrage. It is a continued raid upon funds which are needed for important public purposes or for the purpose of reduction of the budget deficit and for the purpose of balancing the budget. These are funds which are being taken away from other essential and important uses, such as student loans, such as school lunches, such as education, such as research into health problems, such as improving the quality of life, to law enforcement, to protection of the environment, and they are going to two States which have roundly abused the system for years and which, under this legislation, are going to get the permission of the Congress to continue to abuse the public interests and public monies for special purposes, in a fashion that no other State is being permitted to do.

But note, my dear friends and colleagues, this is but the first crack in the dike because now already six other States are saying, "Well, if you are going to let Louisiana, if you are going to let New Hampshire, have access to these funds without responsibility, how about letting us do that?"

So, I would tell my colleagues, prepare for a phone call from their constituents, prepare for a phone call from their Governor, prepare for the call from their State to let them share in this pork also.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, these same folks who shut down the Government now claim to be working in a fiscally responsible manner to balance the Federal budget. They are asking us to support a continuing resolution laden with \$342 million in special-interest pork to help the Republican Governors of New Hampshire and Louisiana balance their budgets without violating their no new taxes pledge. It is easy. Here is how to do it:

"You run for Governor. You say you are not going to increase taxes. You overspend and run up a deficit. Then you call your political friends in Washington to bail you out with a little bit of money. You than can go back and run for reelection, say, 'Look, I did not raise taxes, and I balanced my budget.'"

The fact is the taxpayers in 48 other States are going to have to have their taxes raised or their spending cut so that we can have this little payoff to help these two Governors in New Hampshire and Louisiana.

Every State in this Nation grapples with balancing their books. My State, the State of Ohio, is plagued by the rules, has made the tough choices to keep spending in line. We will never be able to balance the Federal budget if a couple of States that have particularly good political connections in Washington, or might have had an early Presidential primary, if those States are

overspending and get bailed out by the Federal Government.

We have had too many bailouts in this Congress, we have had too many times in this new Congress, where pork has been the order of the day, "We have to have more pork in these bills in order to satisfy special interests."

Think, Mr. Speaker, how much pork we would have had to put in this bill if a certain other Presidential candidate had won New Hampshire. Think of what the price might have been, how much money would have had to be in this bill, in order to satisfy those demands in one of those States then.

Mr. Speaker, if this is how the Republicans handle block grants, I want to know where my State can apply.

Mr. SOLOMON. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana [Mr. LIVINGSTON]. One of the reasons we are here today is because of the outstanding work of the chairman of the Committee on Appropriations. We all owe him a great deal, and so do the American people.

Mr. LIVINGSTON. Mr. Speaker, I thank the gentleman from New York for yielding me a little bit of time to respond, and, playing on that last statement, does the gentleman want to know why his State will not apply for this deal? I am sure that his State would probably argue that they do not want this kind of deal because the fact is that the State of Louisiana unfortunately has placed itself in the predicament from which it is extracting itself, and I stress that.

I am not going to deny that abuses by various States around the country took place in the Medicaid Program years ago. They did. Two previous administrations of the Louisiana State government frankly abused the Medicaid Program; there is no doubt about it.

But this administration that just took over a few short months ago is taking great steps to remedy the situation. In fact, some steps began at the end of the previous administration, because unfortunately there were abuses, they had to acknowledge there had been abuses, and they ultimately had no choice because of measures taken by the distinguished former members and the chairman of the Committee on Commerce to remedy those abuses. They were left with absolutely no choice at all. They recognized that they spent too much in Medicaid. The previous administration of Governor Edwards's found out that the abuse of the program must end. It was cut off by the Federal Government at the response of the investigations by Chairman DINGELL, when he was chairman on the Energy and Commerce Committee.

Now this new administration in Louisiana, that took office at the beginning of this year, has already made a billion dollars in cuts in their Medicaid Program. Only the State of Delaware and the State of Louisiana have made

as many cuts in their optional Medicaid Programs. The provision in this bill would cap the Federal Medicaid payment to Louisiana at \$2.6 billion, which is more severe and more austere than any other State in the Nation. This provision allows no growth beyond \$2.6 billion, not even for inflation, this year, next year, and the following year. No other State in the Union is willing to take this kind of deal.

I have heard the two previous speakers say, oh, well, every State is going to jump up and get this kind of deal. The fact is they are not asking and they do not want this deal, they do not want this formula. Louisiana is acknowledging mistakes and saying that they are going to live up to their responsibilities with new Federal guidelines and meet the responsibilities that they have taken on. The Committee on Commerce Republican leadership has said that because Louisiana is willing to forgo the growth in their program in the funding for Medicaid in the out-years, they have been able to provide all the States with additional growth in Medicaid dollars.

So what we are doing in Louisiana is resulting in a template, a format for action that can be used with respect to other States. The Louisiana Medicaid provision we have included is similar to the provision that was included in the Balanced Budget Act and the Governors' Medicaid proposal.

So this is not new stuff, this was not late at night, this was not snuck in in some smoke-filled room. This actually was on the books in the past. The Louisiana situation is an emergency. If this funding does not go forward one-third, maybe as much as one-third of the medical personnel in Louisiana who provide services to the elderly and to the indigent simply will have to be laid off immediately, not next year or the year after that, immediately.

Now, this is an urgent situation, it is an emergency that is recognized by other Members, by both sides of the aisle and by both sides of this building in the Capitol of the United States as well as by the President of the United States, and that is why he is willing to sign the bill with this in it. He may not like every provision, but the fact is he has recognized that the State of Louisiana has acknowledged their problem, is willing to deal with it, and if other States were quite so forthright, they would adopt measures that parallel this.

To meet the Congressional Budget Office's concerns and the White House's initial objections to the provision, the final Louisiana Medicaid provision in this conference agreement would only last through the State's fiscal year 1997, and then we have to go back and make appropriations if there is a cost to the United States of America.

□ 1500

In fact, in fiscal year 1996, the Congressional Budget Office says that what we have done costs the govern-

ment absolutely nothing, absolutely zero, so all this talk about porkbusters is just fabrication. It does not cost the Government anything. Before we can go forward after fiscal year 1996, we have to begin to set out how we are going to pay for it.

I do not believe this provision is going to cost the Government anything in the out-years, because Louisiana is working with the people in the Congressional Budget Office to show how this arrangement will actually save the American taxpayer money, and that they are willing to cap their Medicaid payment at a very much lower level than they have previously received, in order to get themselves over the hump.

Had they cut themselves off cold turkey there would be a devastating shortfall that would have resulted in a reduction in services, medical services to the indigent in Louisiana, that simply would be unsustainable.

What we are doing is smoothing the playing field and giving them the opportunity to get out from under what I acknowledge was a bad situation in the years past, but we are correcting it. And I commend the leadership of the State of Louisiana for stepping up to the plate, and I commend, frankly, the good people on both sides of the aisle, both Chambers of Congress, and the administration, for acknowledging that what we have here is the best solution to an abuse that took place long ago.

Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. HEFNER].

(Mr. HEFNER asked and was given permission to revise and extend his remarks.)

Mr. HEFNER. Mr. Speaker, it is always good for us to talk about the cuts. Everybody likes to have cuts and to get spending under control. But I am happy to see that we reinstated some of the real vital programs in education that were so sorely needed.

However, there is one area of this budget that very much disturbs me. That is our veterans' facilities, our health care facilities. To me, I think what we are doing in this bill is absolutely, totally disgraceful. We are \$400 million under the President's request on medical facilities for our veterans. We are \$400 million short on construction.

Let me just point out a couple things. My dear friend, the gentleman from Georgia, talked about the emergency in Medicare, that we had to do something. I visited these hospitals when the Government shut down. These people were literally working for nothing.

To this day, some of them have not been reimbursed for the money that they had coming from the Government shutdown. Some of the nurses there are working two nurses a shift for 37 people in our VA hospital. It is an absolute disgrace what we are doing in this budget for the care of our American veterans.

Mr. Speaker, I think that the American people ought to know from where some of these cuts are coming. Sometimes we need to put a human face on cuts. It is good to stand here and talk about how much we have cut and how much we are cutting back and all these things that we are doing, but we have to put a human face to it. It comes from somewhere, and it is coming from the veterans' \$400 million in the medical facilities for our veterans who laid it on the line for this country. I think it is absolutely disgraceful the way we are doing the cuts on the veterans of this country.

Mr. Speaker, I would hope that sometime in the near future we can rectify this, because we are paying an inordinately bad price for the veterans who served this country so well and for the folks who labor in these hospitals. They were diligent, they were there when the doors opened, they were there when the patients needed them. Now, when it comes to ante up and get the money, we are going to cut. I think it is an absolute disgrace what we are doing to the veterans of this country.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. WAXMAN].

(Mr. WAXMAN asked and was given permission to revise and extend his remarks.)

Mr. WAXMAN. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I listened to the statements from the gentleman from Louisiana [Mr. LIVINGSTON], the chairman of the Committee on Appropriations, about the plight of the State of Louisiana. Louisiana is trying to handle its own State budget, but so is every other State in this country. What Louisiana is getting is a very sweet deal. It is a special treatment. It is pork barrel money. They are getting Federal dollars without doing what they are required under Federal law to put up for their own citizens who receive Medicaid benefits.

The reason they are in this fix has nothing to do with the Federal Government. It has to do with the abuse by the State of Louisiana in the 1980's when they leveraged Federal dollars into the Medicaid Program and then did not even use it for health care. They used it for roads and they used it for prisons. They used it to balance their budget and they became addicted to that money. Now, because they have one of their own in a very powerful position, they are being singled out; they and New Hampshire, to get Federal dollars to help them meet their fiscal requirements.

The State of California has a problem. Every State has a problem to make their budgets match income and outgo. Medicaid is a big cost. But the Federal Government should not be standing in the place of those State governments to take on their responsibilities.

Put this in the context of what Republicans wanted earlier this year.

What they wanted was a block grant with cuts in Federal and State dollars under the Medicaid Program, and the public that is to be served by those programs be damned. They could go without care under the provisions of what is substituted for the existing Medicaid Program under the Republican proposal. This is an outrage. It is unfair. It should not have happened.

Mr. SOLOMON. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana [Mr. TAUZIN].

Mr. TAUZIN. Mr. Speaker, I rise to correct the record. First of all, Mr. Speaker, Louisiana has a law on its books, has had a law on its books since well into the 1970's, that Medicaid receipts and Medicare moneys cannot be spent on anything but health care in that State. It was not spent on roads and bridges, as the gentleman in the well previously alluded to. I am sure that gentleman in the well previously alluded to. I am sure that gentleman voted against the earthquake relief to California when that State needed help from this Federal Government.

However, the provisions in this bill do not add a dime to the Federal deficit, do not increase spending in Louisiana one dime. It simply allows Louisiana to do something it has to do, and that is to correct the formula by which the State applied for and received its Federal funding all these years.

The State used a system whereby Federal and State dollars were accumulated in its Medicaid accounts and then matched to make its Medicaid formula. That is no longer allowed. That was a system the Federal Government allowed to happen over these years, and now we are going to face a \$1.5 billion shortfall for the most needy people in our State if this provision is not adopted.

If any other State wants to freeze its accounts the way Louisiana is freezing them, come forward. That is what the bill provides.

Mr. SOLOMON. Mr. Speaker, I yield 1 minute to another gentleman from Louisiana [Mr. HAYES].

Mr. HAYES. Mr. Speaker, there were more displaced workers in the State of Louisiana when the oil industry collapsed than there are in the automobile industry, but when a vote was held on this Chamber and across the hall, unemployment compensation was extended to those who had been, unfortunately, adversely affected in the downturn in the automobile industry. It is something I would vote for again, but when the request was made for the oil and gas industry, it was turned down in both Chambers.

The point I am making is simple. The State of Louisiana has held its head up proud and, by the way, done something some of these folks should have thought about: Delivered good quality medical care at under the Federal reimbursement rate, not taking a dime from anyone that any other State was not getting per capita. And instead of sending a committee down to learn

how they did it better, we said, "Let us punish them for not spending every dime in the Federal Treasury."

Now we have CBO saying, "You are not costing the taxpayer and another State a nickel." Maybe that is what has offended the other side in this debate, that another taxpayer is not having to pay another dime to bail out an automobile company or a big city.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Mr. Speaker, I want the record to be very clear about the Louisiana situation. They did take Federal dollars on the claim that this was supposed to go to hospitals that served a disproportionate share of low-income patients. They put up some phony State dollars which were in fact Federal dollars, leveraged the Federal dollars to match it, and then used the additional Federal dollars for their own budget balancing, paying for roads and prisons.

Second, Mr. Speaker, I want the record to be clear that the State of Louisiana has not underspent because they were more efficient and gave better care than other States in the rest of the Nation.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. WAXMAN. I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Speaker, the State of Louisiana is going to increase the budget deficit in the following fiscal year, the next fiscal year, and the year after that by \$300 million each year, and God knows how much more after that.

Mr. WAXMAN. They are not being rewarded for their good deeds, Mr. Speaker, they are being rewarded for their bad deeds, by the power of those in their delegation that have been able to exact this special pork barrel treatment for the State of Louisiana.

Mr. MOAKLEY. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, I think I have a better understanding now why the Republicans did not want to have the line-item veto apply this year. It was this type of provision, this type of provision that allows the State of Louisiana and the State of New Hampshire to benefit at the expenses of taxpayers throughout this country. It should not be in this bill, it should never have been put in this bill, and it is a disgrace that we have this in a bill at a time when we are trying to work together to bridge the gap between the two sides of this House. I am ashamed that we have this in this bill, and I am sorry it is here. This was a good faith attempt by Members on our side of the aisle to reach a compromise.

Mr. MOAKLEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield myself the remainder of my time.

Mr. Speaker, I would point out first that a previous speaker had talked about cuts in this budget on the floor here right now to the veterans hospital medical care delivery system. Let me assure the gentleman that this advocate for veterans will guarantee the gentleman that there is \$400 million more in this budget than there was last year. It is the only increase in the entire part of this budget.

Mr. Speaker, second, let me just say this. I introduced a balanced budget on this floor a number of years ago which called for a balanced budget in 5 years. I had one on the floor last year that did the same thing. One Member said to me, "JERRY, how can you vote for this, when it does not really cut as much as you wanted it to?"

I am voting for it because it truly does put us on the road to a balanced budget. We are within this glide path. That is why JERRY SOLOMON is going to vote for this bill today. It shrinks the size and the power and the role of this Federal Government. It returns it to the States. It puts us on an irreversible path towards that philosophy.

I urge all of the Members to come over here, vote for this bill right now; vote for the rule, and then vote for the bill. The American people want you to do it.

Mr. MOAKLEY. Mr. Speaker, I ask unanimous consent that another Member may be permitted to speak.

Mr. SOLOMON. Mr. Speaker, I object.

The SPEAKER pro tempore (Mr. LAHOOD). Objection is heard.

Without objection, the previous question is ordered on the resolution.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. LIVINGSTON. Mr. Speaker, pursuant to House Resolution 415, I call up the conference report on the bill (H.R. 3019) making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 415, the conference report is considered as having been read.

(For conference report and statement, see prior proceedings of the House of today, Thursday, April 25, 1996.)

The SPEAKER pro tempore. The gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from Wisconsin [Mr. OBEY] will each control 30 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON].

□ 1515

GENERAL LEAVE

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within

which to revise and extend their remarks on the conference report to accompany H.R. 3019, and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. LIVINGSTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this conference report on H.R. 3019 wraps up all the appropriations matters for fiscal year 1996. I hope that this is lucky No. 14, because that is the number of temporary funding bills that we have had to get to this final measure. It is well past time to closeout all matters and move on to fiscal year 1997. Its budget debate will begin next week. In fact, it is 6 months past time.

This conference agreement honors the commitment of the Committee on Appropriations to reduce discretionary spending and put this country on a path to a balanced budget. It contains \$163.7 billion in gross spending, lest anybody says there is not enough money in this bill, with \$4.34 billion in offsets, for a net spending total of \$159.37 billion in total spending.

This amount will cause overall appropriations to be \$30 billion below the President's request and \$23 billion below last year. When we add the \$11 billion net savings from our rescission bill last year, actually \$20 billion aggregate savings, we have cut discretionary spending by a net total of roughly \$34 billion in 16 months. In the aggregate, it is about \$43 billion.

These numbers represent the termination of more than 200, two-zero-zero, 200 wasteful programs and bureaucracies. They represent a slowing down of increases in other programs. They represent a realignment of priorities, and they respect the funding priorities of the White House, the Senate, and the minority party as well.

For our part, we went into conference with the Senate determined to pay for all increases in spending, and I am pleased to tell the members that all increases proposed by the Senate are paid for. I am pleased to tell the members that \$1.3 billion in disaster assistance supplementals are fully paid for; funding for Bosnia, for the floods in the Northwest, for anti-terrorism, and for additional assistance toward peace in the Middle East, are all paid for, not borrowed against the future, not added to last year's bill, but paid for.

By law we did not have to do this, but that has been our policy, and we have continuously for the last 16 months abided by that policy.

I am pleased to tell the Members that we provided \$1 billion to national security priorities for our 40,000 troops in the Bosnia theater and \$120 million to support the Mideast peace activities, again all paid for.

In summary, by paying for all increases in spending, we have produced

a bill that is still below our budget caps and, for a \$163 billion bill, that is a significant achievement.

Much of the controversy in this bill surrounds the environmental issues. It was the area of intense compromise, with roughly 7 issues on the table. Each represented a unique problem.

First, we retained the House language regarding the Mt. Graham red squirrel. We gave the President waiver authority we do not believe he will need in the contentious Tongass and Mojave and endangered species issues. We modified the Columbia River Basin language. We dropped the timber provision that the Clinton administration originally indicated they wanted, and we dropped wetlands language which we thought addressed a redundancy in the EPA/Corps wetland permitting process.

These were compromises, I stress, compromises. They were done in conjunction with the demands by the White House, but they were not everything that the White House wanted. They were compromises. They make everyone and no one happy, and in truth, most of these issues will be revisited again in a few short weeks as we commence the fiscal year 1997 bills.

I might add this bill reflects a number of priorities critical to Members on my side of the aisle. The Senate population language is dropped, underscore, dropped, and the medical school accreditation provision which has been so objectionable to those in the right-to-life community, again, was made permanent law for the first time, satisfying in both instances the people who are totally opposed to the concept of abortion.

I also regret that the cap on the student loan volume was dropped. Again, that was in a matter of compromise, and I would hope that the Committee on Economic and Educational Opportunities would be able to address that condition and correct that anomaly as soon as possible.

I would call our Members' attention to the reaffirmation of our commitment to our active veterans by increasing—I heard the word cut, that is absurd—increasing the medical care programs for veterans by \$400 million above what was provided last year. The President in his budget, which was not altogether realistic, might have said that he wanted more money than that. This is a \$400 million increase above last year.

And we funded NASA and the Space Shuttle Program, and we made a tremendous investment in our Nation's fight against crime.

Mr. Speaker, I want to say that this was a compromise. We could not have this finished product without the dedicated work and steadfast assistance—although he adhered to his own philosophical and deep-seated feelings that our side of the aisle is wrong and his side of the aisle is right—we could not have succeeded in reaching a conclusion without my colleague and friend,

the ranking minority member of the Committee on Appropriations and the former chairman, the gentleman from Wisconsin [Mr. OBEY]. By all measurements, we are indeed an interesting team, but we have respected each other's priorities. We have communicated. We have worked well, separately and together.

I also want to say that it has been a joy to work not only with Mr. OBEY at the table but with Senator HATFIELD, whom I will miss greatly when he retires, and to acknowledge the support and leadership and steadfast dedication to conclusion of this effort by Senator Robert Byrd.

As well, I would say that frankly Mr. Panetta was a tough opponent in these negotiations, but it was a pleasure to

work with him. I am glad for that because he came to the table with the intent to conclude this affair. We did reach a conclusion and I think one that all Americans can be satisfied with.

Mr. Speaker, 20 years from now when the American people look back on this, when our children and our grandchildren look back at this point in history, they will not remember what happened to these issues that I have touched on, not one of them. They will not remember what they were. They will not give a darn.

But they are going to look to those charts that show Government growing incessantly year after year after year up until 1995, and all of a sudden see it start to decline. That is what we have contributed to, \$43 billion in savings in

aggregating fiscal year 1995 and fiscal year 1996. We have started the trend to follow up on the words of the President of the United States when he stood right where you sit, Mr. Speaker, and he said, "The era of big government is now over."

We are taking him at his word. The world has changed. We are headed in the right direction with this bill, which is a compromise. It is the best compromise we can get. It is supported by our leadership in the House and Senate as well as the White House, and I urge its adoption.

Mr. Speaker, at this point in the RECORD I would like to insert several tables showing the details of the amounts in this conference agreement.

**FY 1996 DEPARTMENTS OF COMMERCE, JUSTICE AND STATE, THE JUDICIARY, AND RELATED AGENCIES  
APPROPRIATIONS BILL (H.R. 3019)**

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
<b>TITLE I - DEPARTMENT OF JUSTICE</b>						
<b>General Administration</b>						
Salaries and expense: 1/						
Direct appropriation.....	119,643,000	73,229,000	74,282,000	74,282,000	74,282,000	-45,361,000
Crime trust fund.....	17,400,000	15,500,000				-17,400,000
Total, Salaries and expenses.....	137,043,000	88,729,000	74,282,000	74,282,000	74,282,000	-62,761,000
Working capital fund (recession).....	5,500,000					+5,500,000
Counterterrorism fund.....	34,220,000	26,398,000	16,898,000	16,898,000	16,898,000	-17,322,000
Administrative review and appeals: 1/						
Direct appropriation.....		54,336,000	38,886,000	38,886,000	38,886,000	+38,886,000
Crime trust fund.....		33,160,000	47,780,000	47,780,000	47,780,000	+47,780,000
Total, Administrative review and appeals.....		87,516,000	86,666,000	86,666,000	86,666,000	+86,666,000
Office of Inspector General.....	30,484,000	36,744,000	28,960,000	28,960,000	28,960,000	-1,524,000
Total, General administration.....	196,247,000	239,387,000	206,806,000	206,806,000	206,806,000	+10,559,000
Appropriations.....	(184,347,000)	(190,707,000)	(159,026,000)	(159,026,000)	(159,026,000)	(-25,321,000)
Crime trust fund.....	(17,400,000)	(48,680,000)	(47,780,000)	(47,780,000)	(47,780,000)	(+30,380,000)
<b>United States Parole Commission</b>						
Salaries and expenses.....	7,450,000	6,781,000	5,446,000	5,446,000	5,446,000	-2,004,000
<b>Legal Activities</b>						
General legal activities:						
Direct appropriation.....	418,834,000	437,060,000	401,929,000	401,929,000	401,929,000	-14,905,000
(By transfer).....			(12,000,000)	(12,000,000)		(+12,000,000)
Crime trust fund.....	4,800,000	7,591,000	7,591,000	7,591,000	7,591,000	+2,991,000
Total, General legal activities.....	(421,434,000)	(444,651,000)	(421,520,000)	(421,520,000)	(421,520,000)	(+86,000)
Vaccine injury compensation trust fund.....	2,500,000	4,028,000	4,028,000	4,028,000	4,028,000	+1,528,000
Independent counsel (permanent, indefinite).....	4,000,000	2,884,000	2,884,000	2,884,000	2,884,000	-1,116,000
Civil liberties public education fund.....	5,000,000	5,000,000				-5,000,000
Antitrust Division.....	85,143,000	91,752,000	85,143,000	85,143,000	85,143,000	
Offsetting fee collections - carryover.....	-4,500,000		-19,360,000	-19,360,000	-19,360,000	-14,860,000
Offsetting fee collections - current year.....	-38,940,000	-46,262,000	-46,262,000	-46,262,000	-46,262,000	-8,622,000
Direct appropriation.....	41,003,000	43,490,000	17,521,000	17,521,000	17,521,000	-23,462,000
United States Attorneys:						
Direct appropriation.....	829,024,000	909,463,000	895,509,000	895,509,000	895,509,000	+66,485,000
Emergency appropriations (P.L. 104-18).....	2,000,000					-2,000,000
Violent crime task force.....	15,000,000	15,000,000				-15,000,000
Crime trust fund.....	6,800,000	14,731,000	30,000,000	30,000,000	30,000,000	+23,200,000
Total, United States Attorneys.....	852,824,000	939,194,000	925,509,000	925,509,000	925,509,000	+72,685,000
United States Trustee System Fund.....	103,183,000	106,246,000	102,390,000	102,390,000	102,390,000	-793,000
Offsetting fee collections.....	-40,597,000	-44,191,000	-44,191,000	-44,191,000	-44,191,000	-3,594,000
Direct appropriation.....	62,586,000	65,054,000	56,196,000	56,199,000	56,199,000	-4,387,000
Foreign Claims Settlement Commission.....	830,000	905,000	830,000	830,000	830,000	
United States Marshals Service:						
Direct appropriation.....	396,782,000	446,867,000	423,248,000	423,248,000	423,248,000	+26,466,000
Crime trust fund.....		16,500,000	25,000,000	25,000,000	25,000,000	+25,000,000
Total, United States Marshals Service.....	396,782,000	463,367,000	448,248,000	448,248,000	448,248,000	+51,466,000
Federal Prisoner Detention.....	296,753,000	295,331,000	252,820,000	252,820,000	252,820,000	-43,933,000
(Prior year carryover).....			(33,511,000)	(33,511,000)	(33,511,000)	(+33,511,000)
(By transfer).....			(6,000,000)	(6,000,000)		(+9,000,000)
Total, Federal prisoner detention.....	(296,753,000)	(295,331,000)	(295,331,000)	(295,331,000)	(295,331,000)	(-1,422,000)
Fees and expenses of witnesses.....	77,862,000	85,000,000	85,000,000	85,000,000	85,000,000	+7,018,000
Community Relations Service 2/.....	20,379,000	20,695,000	5,319,000	5,319,000	5,319,000	-15,060,000
Assets forfeiture fund.....	50,000,000	55,000,000	30,000,000	30,000,000	30,000,000	-20,000,000
Total, Legal activities.....	2,232,073,000	2,424,619,000	2,239,678,000	2,239,678,000	2,239,678,000	+7,605,000
Appropriations.....	(2,220,673,000)	(2,385,797,000)	(2,177,267,000)	(2,177,267,000)	(2,177,267,000)	(+43,386,000)
Crime trust fund.....	(11,400,000)	(38,822,000)	(62,591,000)	(62,591,000)	(62,591,000)	(+51,191,000)

**FY 1996 DEPARTMENTS OF COMMERCE, JUSTICE AND STATE, THE JUDICIARY, AND RELATED AGENCIES  
APPROPRIATIONS BILL (H.R. 3019) — continued**

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
<b>Radiation Exposure Compensation</b>						
Administrative expenses.....	2,655,000	2,655,000	2,655,000	2,655,000	2,655,000	
Advance appropriation.....		2,655,000				
Payment to radiation exposure compensation trust fund.....		16,264,000				
Advance appropriation.....		30,000,000	16,264,000	16,264,000	16,264,000	+ 16,264,000
<b>Total, Radiation Exposure Compensation.....</b>	<b>2,655,000</b>	<b>51,574,000</b>	<b>16,919,000</b>	<b>16,919,000</b>	<b>16,919,000</b>	<b>+ 16,264,000</b>
<b>Interagency Law Enforcement</b>						
Interagency crime and drug enforcement.....	374,943,000	378,473,000	359,843,000	359,843,000	359,843,000	-15,100,000
<b>Federal Bureau of Investigation</b>						
Salaries and expenses.....	2,038,774,000	2,305,387,000	2,002,438,000	2,002,438,000	2,002,438,000	-36,336,000
(By transfer).....			(22,000,000)	(22,000,000)	(22,000,000)	(+ 22,000,000)
Emergency appropriations (P.L. 104-18).....	77,140,000					-77,140,000
Counterintelligence and national security.....	80,421,000	82,254,000	102,345,000	102,345,000	102,345,000	+ 21,924,000
FBI Fingerprint Identification.....	84,400,000	84,400,000	84,400,000	84,400,000	84,400,000	
Digital telephony (crime trust fund).....		33,400,000	33,400,000	33,400,000	33,400,000	+ 33,400,000
Other initiatives (crime trust fund).....		13,100,000	184,900,000	184,900,000	184,900,000	+ 184,900,000
Construction.....		99,259,000	97,589,000	97,589,000	97,589,000	+ 97,589,000
FBI State compatibility.....			11,800,000			
<b>Total, Federal Bureau of Investigation.....</b>	<b>2,280,735,000</b>	<b>2,617,770,000</b>	<b>2,505,072,000</b>	<b>2,516,872,000</b>	<b>2,505,072,000</b>	<b>+ 224,337,000</b>
Appropriations.....	(2,280,735,000)	(2,571,270,000)	(2,286,772,000)	(2,298,572,000)	(2,286,772,000)	(+ 6,037,000)
Crime trust fund.....		(46,500,000)	(218,300,000)	(218,300,000)	(218,300,000)	(+ 218,300,000)
<b>Drug Enforcement Administration</b>						
Salaries and expenses.....	799,944,000	845,409,000	792,909,000	797,409,000	797,409,000	-2,535,000
Diversion control fund.....	-43,431,000	-47,241,000	-47,241,000	-47,241,000	-47,241,000	-3,810,000
<b>Direct appropriation.....</b>	<b>756,513,000</b>	<b>798,168,000</b>	<b>745,668,000</b>	<b>750,168,000</b>	<b>750,168,000</b>	<b>-6,345,000</b>
Crime trust fund.....		12,000,000	60,000,000	60,000,000	60,000,000	+ 60,000,000
<b>Total, Drug Enforcement Administration.....</b>	<b>756,513,000</b>	<b>810,168,000</b>	<b>805,668,000</b>	<b>810,168,000</b>	<b>810,168,000</b>	<b>+ 53,655,000</b>
<b>Immigration and Naturalization Service</b>						
Salaries and expenses.....						
Direct appropriation.....	1,101,475,000	1,453,471,000	1,394,825,000	1,394,825,000	1,394,825,000	+ 293,350,000
Border Patrol:						
Direct appropriation (seamark).....			(506,800,000)	(506,800,000)	(506,800,000)	(+ 506,800,000)
Crime trust fund (seamark).....			(75,765,000)	(75,765,000)	(75,765,000)	(+ 75,765,000)
New offsetting fees.....						
Subtotal, Border patrol.....			(582,565,000)	(582,565,000)	(582,565,000)	(+ 582,565,000)
Immigration initiative (crime trust fund).....	100,600,000	335,496,000	162,628,000	162,628,000	162,628,000	+ 82,028,000
Border control system modernization (crime trust fund).....	154,600,000		153,570,000	153,570,000	153,570,000	-1,030,000
<b>Subtotal, Direct and crime trust fund.....</b>	<b>(1,356,675,000)</b>	<b>(1,788,969,000)</b>	<b>(1,711,023,000)</b>	<b>(1,711,023,000)</b>	<b>(1,711,023,000)</b>	<b>(+ 354,348,000)</b>
Fee accounts:						
Immigration legalization fund.....	(3,482,000)	(1,823,000)	(1,823,000)	(1,823,000)	(1,823,000)	(+ 1,659,000)
Immigration user fee.....	(330,952,000)	(357,084,000)	(357,084,000)	(357,084,000)	(357,084,000)	(+ 26,132,000)
Land border inspection fund.....	(1,564,000)	(5,965,000)	(5,965,000)	(5,965,000)	(5,965,000)	(+ 4,381,000)
Immigration examinations fund.....	(291,097,000)	(304,572,000)	(440,160,000)	(440,160,000)	(440,160,000)	(+ 149,063,000)
Cuban/Haitian resettlement (examinations fund).....			(10,057,000)	(10,057,000)	(10,057,000)	(+ 10,057,000)
Breached bond fund.....	(6,200,000)	(6,358,000)	(6,358,000)	(6,358,000)	(6,358,000)	(+ 158,000)
<b>Subtotal, Fee accounts.....</b>	<b>(833,315,000)</b>	<b>(875,802,000)</b>	<b>(821,447,000)</b>	<b>(821,447,000)</b>	<b>(821,447,000)</b>	<b>(+ 188,132,000)</b>
Construction.....	50,000,000		25,000,000	25,000,000	25,000,000	-25,000,000
Immigration Emergency Fund.....	30,000,000					-30,000,000
<b>Total, Immigration and Naturalization Service.....</b>	<b>(2,069,990,000)</b>	<b>(2,464,771,000)</b>	<b>(2,557,470,000)</b>	<b>(2,557,470,000)</b>	<b>(2,557,470,000)</b>	<b>(+ 467,480,000)</b>
Appropriations.....	(1,161,475,000)	(1,453,471,000)	(1,419,825,000)	(1,419,825,000)	(1,419,825,000)	(+ 238,350,000)
Crime trust fund.....	(255,200,000)	(335,496,000)	(316,198,000)	(316,198,000)	(316,198,000)	(+ 60,898,000)
(Fee accounts).....	(833,315,000)	(875,802,000)	(821,447,000)	(821,447,000)	(821,447,000)	(+ 188,132,000)
<b>Federal Prison System</b>						
Salaries and expenses.....	2,353,597,000	2,630,259,000	2,614,578,000	2,614,578,000	2,614,578,000	+ 260,981,000
Prior year carryover.....	-30,000,000		-47,000,000	-47,000,000	-47,000,000	-17,000,000
<b>Direct appropriation.....</b>	<b>2,323,597,000</b>	<b>2,630,259,000</b>	<b>2,567,578,000</b>	<b>2,567,578,000</b>	<b>2,567,578,000</b>	<b>+ 243,981,000</b>
Crime trust fund.....		13,500,000	13,500,000	13,500,000	13,500,000	+ 13,500,000
<b>Total, Salaries and expenses.....</b>	<b>2,323,597,000</b>	<b>2,643,759,000</b>	<b>2,581,078,000</b>	<b>2,581,078,000</b>	<b>2,581,078,000</b>	<b>+ 257,481,000</b>
National Institute of Corrections.....	10,302,000	10,158,000				-10,302,000
Buildings and facilities.....	276,301,000	323,728,000	334,728,000	334,728,000	334,728,000	+ 58,427,000



**FY 1996 DEPARTMENTS OF COMMERCE, JUSTICE AND STATE, THE JUDICIARY, AND RELATED AGENCIES  
APPROPRIATIONS BILL (H.R. 3019) — continued**

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
Federal Prison Industries, Incorporated (limitation on administrative expenses).....	(3,463,000)	(3,559,000)	(3,559,000)	(3,559,000)	(3,559,000)	(+ 96,000)
<b>Total, Federal Prison System .....</b>	<b>2,610,200,000</b>	<b>2,977,645,000</b>	<b>2,915,806,000</b>	<b>2,915,806,000</b>	<b>2,915,806,000</b>	<b>+ 305,606,000</b>
<b>Office of Justice Programs</b>						
Justice Assistance:						
Direct appropriation.....	97,977,000	102,345,000	99,977,000	99,977,000	99,977,000	+ 2,000,000
Crime trust fund:						
Violence Against Women Grants .....	26,000,000	174,900,000	174,500,000	174,500,000	174,500,000	+ 148,500,000
Rural law enforcement .....		10,252,000				
Model intensive prevention .....		48,216,000				
State prison drug treatment .....		27,000,000	27,000,000	27,000,000	27,000,000	+ 27,000,000
Other crime control programs .....		4,426,000	900,000	900,000	900,000	+ 900,000
<b>Subtotal, Crime trust fund .....</b>	<b>26,000,000</b>	<b>264,794,000</b>	<b>202,400,000</b>	<b>202,400,000</b>	<b>202,400,000</b>	<b>+ 176,400,000</b>
<b>Total, Justice Assistance .....</b>	<b>123,977,000</b>	<b>367,139,000</b>	<b>302,377,000</b>	<b>302,377,000</b>	<b>302,377,000</b>	<b>+ 178,400,000</b>
State and local law enforcement assistance:						
Direct appropriations:						
Byrne grants (discretionary) .....	62,000,000	50,000,000	60,000,000	60,000,000	60,000,000	- 2,000,000
Byrne grants (formula) .....		190,000,000	328,000,000	328,000,000	328,000,000	+ 328,000,000
Weed and seed fund (direct) .....	13,456,000	5,000,000				- 13,456,000
Weed and seed fund (earmarked) .....			(28,500,000)	(28,500,000)	(28,500,000)	(+ 28,500,000)
<b>Subtotal, Direct appropriations .....</b>	<b>75,456,000</b>	<b>245,000,000</b>	<b>388,000,000</b>	<b>388,000,000</b>	<b>388,000,000</b>	<b>+ 312,544,000</b>
Crime trust fund:						
Byrne grants (formula) .....	456,000,000	280,000,000	147,000,000	147,000,000	147,000,000	- 303,000,000
Community policing (direct) .....	1,300,000,000	1,932,964,000			1,400,000,000	+ 100,000,000
Community policing (earmark) .....				(975,000,000)		
Police corps (earmark) .....				(10,000,000)	(10,000,000)	(+ 10,000,000)
Local law enforcement block grant .....			1,903,000,000	1,903,000,000	503,000,000	+ 503,000,000
Drug Courts (earmark) .....				(26,000,000)	(18,000,000)	(+ 18,000,000)
Boys and Girls clubs (earmark) .....				(20,000,000)	(11,000,000)	(+ 11,000,000)
D.C. Police (earmark) .....				(20,000,000)	(15,000,000)	(+ 15,000,000)
Crime prevention (earmark) .....				(80,000,000)		
<b>Subtotal, State and local block grants .....</b>	<b>1,750,000,000</b>	<b>2,162,964,000</b>	<b>2,050,000,000</b>	<b>2,050,000,000</b>	<b>2,050,000,000</b>	<b>+ 300,000,000</b>
Upgrade criminal history records .....	100,000,000	25,000,000	25,000,000	25,000,000	25,000,000	- 75,000,000
State prison grants .....	24,500,000	500,000,000	617,500,000	617,500,000	617,500,000	+ 569,000,000
State criminal alien assistance program .....	130,000,000	300,000,000	300,000,000	300,000,000	300,000,000	+ 170,000,000
Youthful offender incarceration .....		9,643,000				
Drug Courts (direct) .....	11,900,000	150,000,000				- 11,900,000
Office of Prevention Council .....	1,500,000					- 1,500,000
Crime prevention (direct) .....		30,000,000				
Other crime control programs .....		26,799,000	12,700,000	12,700,000	12,700,000	+ 12,700,000
<b>Subtotal, Crime trust fund .....</b>	<b>2,017,900,000</b>	<b>3,204,406,000</b>	<b>3,005,200,000</b>	<b>3,005,200,000</b>	<b>3,005,200,000</b>	<b>+ 987,300,000</b>
<b>Total, State and local law enforcement .....</b>	<b>2,993,356,000</b>	<b>3,449,406,000</b>	<b>3,393,200,000</b>	<b>3,393,200,000</b>	<b>3,393,200,000</b>	<b>+ 1,299,844,000</b>
Juvenile justice programs .....	155,250,000	148,500,000	148,500,000	148,500,000	148,500,000	- 6,750,000
Public safety officers benefits program:						
Death benefits .....	27,645,000	28,474,000	28,474,000	28,474,000	28,474,000	+ 829,000
Disability benefits .....	2,072,000	2,134,000	2,134,000	2,134,000	2,134,000	+ 62,000
<b>Total, Office of Justice Programs .....</b>	<b>2,402,300,000</b>	<b>3,899,953,000</b>	<b>3,874,885,000</b>	<b>3,874,885,000</b>	<b>3,874,885,000</b>	<b>+ 1,472,385,000</b>
Appropriations .....	(558,400,000)	(529,453,000)	(667,085,000)	(667,085,000)	(667,085,000)	(+ 308,685,000)
Crime trust fund .....	(2,043,900,000)	(3,469,200,000)	(3,207,600,000)	(3,207,600,000)	(3,207,600,000)	(+ 1,163,700,000)
<b>Total, title I, Department of Justice .....</b>	<b>12,299,791,000</b>	<b>15,291,039,000</b>	<b>14,668,146,000</b>	<b>14,684,446,000</b>	<b>14,672,646,000</b>	<b>+ 2,372,855,000</b>
Appropriations .....	(9,977,391,000)	(11,326,839,000)	(10,742,177,000)	(10,758,477,000)	(10,749,677,000)	(+ 789,286,000)
Crime trust fund .....	(2,327,900,000)	(3,964,200,000)	(3,925,969,000)	(3,925,969,000)	(3,925,969,000)	(+ 1,596,069,000)
(Limitation on administrative expenses) .....	(3,463,000)	(3,559,000)	(3,559,000)	(3,559,000)	(3,559,000)	(+ 96,000)
<b>TITLE II - DEPARTMENT OF COMMERCE AND RELATED AGENCIES</b>						
<b>TRADE AND INFRASTRUCTURE DEVELOPMENT</b>						
Office of the United States Trade Representative						
Salaries and expenses .....	20,949,000	20,949,000	20,889,000	20,889,000	20,889,000	- 60,000

**FY 1996 DEPARTMENTS OF COMMERCE, JUSTICE AND STATE, THE JUDICIARY, AND RELATED AGENCIES  
APPROPRIATIONS BILL (H.R. 3019) — continued**

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
<b>International Trade Commission</b>						
Salaries and expenses.....	42,500,000	47,177,000	40,000,000	40,000,000	40,000,000	-2,500,000
Total, Related agencies.....	63,449,000	68,126,000	60,889,000	60,889,000	60,889,000	-2,560,000
<b>International Trade Administration</b>						
Operations and administration.....	266,093,000	279,558,000	264,885,000	264,885,000	264,885,000	-1,208,000
Export Administration						
Operations and administration.....	38,544,000	48,441,000	38,504,000	38,604,000	38,604,000	-40,000
<b>Economic Development Administration</b>						
Economic development assistance programs.....	382,783,000	407,783,000	328,500,000	328,500,000	328,500,000	-54,283,000
Emergency rescission (P.L. 104-19).....	-5,250,000					+ 5,250,000
Salaries and expenses.....	32,144,000	31,183,000	20,000,000	20,000,000	20,000,000	-12,144,000
Total, Economic Development Administration.....	409,677,000	438,966,000	348,500,000	348,500,000	348,500,000	-61,177,000
<b>Minority Business Development Agency</b>						
Minority business development.....	43,788,000	47,821,000	32,000,000	32,000,000	32,000,000	-11,788,000
United States Travel and Tourism Administration						
Salaries and expenses (P.L. 104-99).....	16,328,000	16,303,000	2,000,000	2,000,000	2,000,000	-14,328,000
Total, Trade and Infrastructure Development.....	837,980,000	899,315,000	746,878,000	746,878,000	746,878,000	-91,102,000
<b>ECONOMIC AND INFORMATION INFRASTRUCTURE</b>						
<b>Economic and Statistical Analysis</b>						
Salaries and expenses.....	46,896,000	57,220,000	45,900,000	45,900,000	45,900,000	-996,000
Economics and statistics administration revolving fund.....	1,677,000					-1,677,000
<b>Bureau of the Census</b>						
Salaries and expenses.....	136,000,000	144,812,000	133,812,000	133,812,000	133,812,000	-2,188,000
Periodic censuses and programs.....	142,063,000	163,450,000	150,300,000	150,300,000	150,300,000	+ 6,217,000
Total, Bureau of the Census.....	278,063,000	338,262,000	284,112,000	284,112,000	284,112,000	+ 6,029,000
<b>National Telecommunications and Information Administration</b>						
Salaries and expenses.....	20,961,000	22,932,000	17,000,000	17,000,000	17,000,000	-3,961,000
Public broadcasting facilities, planning and construction.....	28,983,000	7,959,000	15,500,000	15,500,000	15,500,000	-13,483,000
Endowment for Children's Educational Television.....	2,499,000	2,502,000				-2,499,000
Information infrastructure grants.....	44,962,000	99,912,000	21,500,000	21,500,000	21,500,000	-23,462,000
Total, National Telecommunications and Information Administration.....	97,405,000	133,305,000	54,000,000	54,000,000	54,000,000	-43,405,000
<b>Patent and Trademark Office</b>						
Salaries and expenses.....	82,324,000	110,668,000	82,324,000	82,324,000	82,324,000	
Total, Economic and Information Infrastructure.....	506,385,000	639,655,000	466,336,000	466,336,000	466,336,000	-40,049,000
<b>SCIENCE AND TECHNOLOGY</b>						
<b>National Institute of Standards and Technology</b>						
Scientific and technical research and services.....	247,486,000	310,679,000	259,000,000	259,000,000	259,000,000	+ 11,514,000
Industrial technology services.....	418,373,000	642,458,000	80,000,000	80,000,000	80,000,000	-117,373,000
Construction of research facilities.....	34,639,000	89,813,000	60,000,000	60,000,000	60,000,000	+ 25,361,000
Total, National Institute of Standards and Technology.....	700,498,000	1,023,050,000	399,000,000	399,000,000	399,000,000	-60,498,000
<b>National Oceanic and Atmospheric Administration</b>						
Operations, research and facilities 3/.....	1,805,092,000	2,021,135,000	1,795,677,000	1,802,677,000	1,795,677,000	-6,415,000
Offsetting collections - fees.....	-6,000,000	-3,000,000	-3,000,000	-3,000,000	-3,000,000	+ 3,000,000
Direct appropriation.....	1,799,092,000	2,018,135,000	1,792,677,000	1,799,677,000	1,792,677,000	-6,415,000
(By transfer from Promote and Develop Fund).....	(55,500,000)	(55,500,000)	(63,000,000)	(63,000,000)	(63,000,000)	(+ 7,500,000)
(By transfer from Damage assessment & restoration revolving fund, permanent).....	8,500,000	3,900,000	3,900,000	3,900,000	3,900,000	-4,600,000
(Damage assessment & restoration revolving fund).....	-1,500,000	-3,900,000	-3,900,000	-3,900,000	-3,900,000	-2,400,000
Total, Operations, research and facilities.....	1,806,092,000	2,018,135,000	1,792,677,000	1,799,677,000	1,792,677,000	-13,415,000
Coastal zone management fund.....	(7,800,000)	(7,800,000)	(7,800,000)	(7,800,000)	(7,800,000)	
Mandatory offset.....	(7,800,000)	(7,800,000)	(7,800,000)	(7,800,000)	(7,800,000)	

**FY 1996 DEPARTMENTS OF COMMERCE, JUSTICE AND STATE, THE JUDICIARY, AND RELATED AGENCIES  
APPROPRIATIONS BILL (H.R. 3019) — continued**

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
Construction .....	82,254,000	52,298,000	50,000,000	50,000,000	50,000,000	-32,254,000
Fleet modernization, shipbuilding and conversion .....	22,936,000	23,347,000	8,000,000	8,000,000	8,000,000	-14,936,000
GOES satellite contingency fund (rescission) .....	-2,500,000					+2,500,000
Fishing vessel and gear damage fund .....	1,273,000	1,282,000	1,032,000	1,032,000	1,032,000	-241,000
Fishermen's contingency fund .....	999,000	1,000,000	999,000	999,000	999,000	
Foreign fishing observer fund .....	400,000	398,000	196,000	196,000	196,000	-204,000
Fishing vessel obligations guarantees .....	250,000	250,000	250,000	250,000	250,000	
Total, National Oceanic and Atmospheric Administration .....	1,811,704,000	2,096,708,000	1,853,154,000	1,860,154,000	1,853,154,000	-58,550,000
Technology Administration						
Salaries and expenses .....	8,242,000	13,906,000	5,000,000	5,000,000	7,000,000	-1,242,000
National Technical Information Service						
NTIS revolving fund .....	7,000,000					-7,000,000
Total, Science and Technology .....	2,627,444,000	3,133,665,000	2,257,154,000	2,264,154,000	2,480,154,000	-147,290,000
General Administration						
Salaries and expenses .....	36,471,000	35,826,000	28,100,000	28,100,000	28,100,000	-7,371,000
Office of Inspector General .....	16,867,000	22,249,000	19,849,000	19,849,000	19,849,000	+2,962,000
Total, General administration .....	53,358,000	58,075,000	48,949,000	48,949,000	48,949,000	-4,408,000
National Institute of Standards and Technology						
Construction of research facilities (rescission) .....			-75,000,000	-75,000,000	-75,000,000	-75,000,000
Total, Department of Commerce .....	3,961,718,000	4,662,584,000	3,383,428,000	3,390,428,000	3,806,428,000	-355,280,000
Total, title II, Department of Commerce and related agencies .....	4,025,167,000	4,730,710,000	3,444,317,000	3,451,317,000	3,667,317,000	-357,850,000
(By transfer) .....	(55,500,000)	(95,500,000)	(83,000,000)	(83,000,000)	(83,000,000)	(+7,500,000)
<b>TITLE III - THE JUDICIARY</b>						
Supreme Court of the United States						
Salaries and expenses:						
Salaries of justices .....	1,657,000	1,662,000	1,662,000	1,662,000	1,662,000	+5,000
Other salaries and expenses .....	22,583,000	24,172,000	24,172,000	24,172,000	24,172,000	+1,589,000
Total, Salaries and expenses .....	24,240,000	25,834,000	25,834,000	25,834,000	25,834,000	+1,594,000
Care of the building and grounds .....	3,000,000	4,003,000	3,313,000	3,313,000	3,313,000	+313,000
Total, Supreme Court of the United States .....	27,240,000	29,837,000	29,147,000	29,147,000	29,147,000	+1,907,000
United States Court of Appeals for the Federal Circuit						
Salaries and expenses:						
Salaries of judges .....	1,758,000	1,892,000	1,892,000	1,892,000	1,892,000	+134,000
Other salaries and expenses .....	11,680,000	13,803,000	12,396,000	12,396,000	12,396,000	+716,000
Total, Salaries and expenses .....	13,438,000	15,695,000	14,288,000	14,288,000	14,288,000	+850,000
United States Court of International Trade						
Salaries and expenses:						
Salaries of judges .....	1,385,000	1,413,000	1,413,000	1,413,000	1,413,000	+28,000
Other salaries and expenses .....	9,300,000	9,446,000	9,446,000	9,446,000	9,446,000	+146,000
Total, Salaries and expenses .....	10,685,000	10,859,000	10,859,000	10,859,000	10,859,000	+174,000
Courts of Appeals, District Courts, and Other Judicial Services						
Salaries and expenses:						
Salaries of judges and bankruptcy judges .....	220,428,000	226,024,000	226,024,000	226,024,000	226,024,000	+5,596,000
Other salaries and expenses .....	2,119,699,000	2,419,941,000	2,207,117,000	2,207,117,000	2,207,117,000	+87,416,000
Direct appropriation .....	2,340,127,000	2,645,965,000	2,433,141,000	2,433,141,000	2,433,141,000	+93,014,000
Crime trust fund .....	30,700,000	30,700,000	30,000,000	30,000,000	30,000,000	+30,000,000
Total, Salaries and expenses .....	2,340,127,000	2,676,665,000	2,463,141,000	2,463,141,000	2,463,141,000	+123,014,000
Vaccine Injury Compensation Trust Fund .....	2,250,000	2,320,000	2,318,000	2,318,000	2,318,000	+68,000
Defender services .....	240,500,000	285,761,000	267,217,000	267,217,000	267,217,000	+126,717,000
Fees of jurors and commissioners .....	54,348,000	72,008,000	59,028,000	59,028,000	59,028,000	+4,982,000

**FY 1996 DEPARTMENTS OF COMMERCE, JUSTICE AND STATE, THE JUDICIARY, AND RELATED AGENCIES  
APPROPRIATIONS BILL (H.R. 3019) — continued**

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
Court security .....	97,000,000	116,433,000	102,000,000	102,000,000	102,000,000	+5,000,000
Emergency appropriations (P.L. 104-19) .....	16,640,000					-16,640,000
<b>Total, Courts of Appeals, District Courts, and Other Judicial Services .....</b>	<b>2,790,863,000</b>	<b>3,163,187,000</b>	<b>2,893,704,000</b>	<b>2,893,704,000</b>	<b>2,893,704,000</b>	<b>+142,841,000</b>
<b>Administrative Office of the United States Courts</b>						
Salaries and expenses .....	47,500,000	53,445,000	47,500,000	47,500,000	47,500,000	
<b>Federal Judicial Center</b>						
Salaries and expenses .....	18,828,000	20,771,000	17,914,000	17,914,000	17,914,000	-914,000
<b>Judicial Retirement Funds</b>						
Payment to Judiciary Trust Funds .....	28,475,000	32,900,000	32,900,000	32,900,000	32,900,000	+4,425,000
<b>United States Sentencing Commission</b>						
Salaries and expenses .....	8,800,000	9,500,000	8,500,000	8,500,000	8,500,000	-300,000
<b>Total, title III, the Judiciary .....</b>	<b>2,905,829,000</b>	<b>3,335,994,000</b>	<b>3,054,812,000</b>	<b>3,054,812,000</b>	<b>3,054,812,000</b>	<b>+148,983,000</b>
Appropriations .....	(2,905,829,000)	(3,305,284,000)	(3,024,812,000)	(3,024,812,000)	(3,024,812,000)	(+118,883,000)
Crime trust fund .....		(30,700,000)	(30,000,000)	(30,000,000)	(30,000,000)	(+30,000,000)
<b>TITLE IV - DEPARTMENT OF STATE</b>						
<b>Administration of Foreign Affairs</b>						
Diplomatic and consular programs .....	1,724,828,000	1,748,438,000	1,708,800,000	1,708,800,000	1,708,800,000	-15,828,000
Security enhancements .....		8,720,000	9,720,000	9,720,000	9,720,000	+9,720,000
Registration fees .....	700,000	700,000	700,000	700,000	700,000	
<b>Total, Diplomatic and consular programs .....</b>	<b>1,725,528,000</b>	<b>1,758,858,000</b>	<b>1,719,220,000</b>	<b>1,719,220,000</b>	<b>1,719,220,000</b>	<b>-6,108,000</b>
Salaries and expenses .....	383,972,000	372,480,000	363,276,000	363,276,000	363,276,000	-20,696,000
Security enhancements .....		1,870,000	1,870,000	1,870,000	1,870,000	+1,870,000
<b>Total, Salaries and expenses .....</b>	<b>383,972,000</b>	<b>374,350,000</b>	<b>365,146,000</b>	<b>365,146,000</b>	<b>365,146,000</b>	<b>-18,826,000</b>
Capital investment fund .....		32,800,000	16,400,000	16,400,000	16,400,000	+16,400,000
Office of Inspector General .....	23,650,000	24,250,000	27,369,000	27,369,000	27,369,000	+3,519,000
Representation allowances .....	4,780,000	4,800,000	4,500,000	4,500,000	4,500,000	-280,000
Protection of foreign missions and officials .....	9,579,000	8,579,000	8,579,000	8,579,000	8,579,000	+1,000,000
Security and maintenance of United States missions .....	391,760,000	421,760,000	385,760,000	385,760,000	385,760,000	-6,000,000
Emergencies in the diplomatic and consular service .....	6,500,000	6,000,000	6,000,000	6,000,000	6,000,000	-500,000
<b>Reparation Loans Program Account:</b>						
Direct loans subsidy .....	593,000	593,000	593,000	593,000	593,000	
(Limitation on direct loans) .....	(741,000)	(741,000)	(741,000)	(741,000)	(741,000)	
Administrative expenses .....	183,000	183,000	183,000	183,000	183,000	
<b>Total, Reparation loans program account .....</b>	<b>776,000</b>	<b>776,000</b>	<b>776,000</b>	<b>776,000</b>	<b>776,000</b>	
Payment to the American Institute in Taiwan .....	15,465,000	15,465,000	15,165,000	15,165,000	15,165,000	-300,000
Payment to the Foreign Service Retirement and Disability Fund .....	129,321,000	125,402,000	125,402,000	125,402,000	125,402,000	-3,919,000
<b>Total, Administration of Foreign Affairs .....</b>	<b>2,891,331,000</b>	<b>2,773,040,000</b>	<b>2,674,317,000</b>	<b>2,674,317,000</b>	<b>2,674,317,000</b>	<b>-17,014,000</b>
<b>International Organizations and Conferences</b>						
Contributions to international organizations, current year assessment .....	872,661,000	923,057,000	700,000,000	700,000,000	892,000,000	+19,399,000
Contributions for international peacekeeping activities, current year assessment .....	518,687,000	445,000,000	225,000,000	225,000,000	359,000,000	-159,687,000
International conferences and contingencies .....	6,000,000	6,000,000	3,000,000	3,000,000	3,000,000	-3,000,000
<b>Total, International Organizations and Conferences .....</b>	<b>1,397,348,000</b>	<b>1,374,057,000</b>	<b>928,000,000</b>	<b>928,000,000</b>	<b>1,254,000,000</b>	<b>-143,348,000</b>
<b>International Commissions</b>						
<b>International Boundary and Water Commission, United States and Mexico:</b>						
Salaries and expenses .....	12,858,000	13,858,000	12,058,000	12,058,000	12,058,000	-800,000
Construction .....	6,644,000	10,398,000	6,644,000	6,644,000	6,644,000	
American sections, international commissions .....	5,800,000	6,290,000	5,800,000	5,800,000	5,800,000	
International fisheries commissions .....	14,669,000	14,669,000	14,669,000	14,669,000	14,669,000	
<b>Total, International commissions .....</b>	<b>39,971,000</b>	<b>45,215,000</b>	<b>39,171,000</b>	<b>39,171,000</b>	<b>39,171,000</b>	<b>-800,000</b>
<b>Other</b>						
Payment to the Asia Foundation .....	10,000,000	10,000,000	5,000,000	5,000,000	5,000,000	-5,000,000
Appropriation (FY 1995 Defense Bill, P.L. 103-335) .....	5,000,000					-5,000,000
<b>Total, Department of State .....</b>	<b>4,143,650,000</b>	<b>4,202,312,000</b>	<b>3,648,488,000</b>	<b>3,648,488,000</b>	<b>3,972,488,000</b>	<b>-171,162,000</b>

**FY 1996 DEPARTMENTS OF COMMERCE, JUSTICE AND STATE, THE JUDICIARY, AND RELATED AGENCIES  
APPROPRIATIONS BILL (H.R. 3019) — continued**

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
<b>RELATED AGENCIES</b>						
Arms Control and Disarmament Agency						
Arms control and disarmament activities .....	50,378,000	76,300,000	32,700,000	35,700,000	38,700,000	-11,678,000
Board for International Broadcasting						
Israel Relay Station (rescission) .....	-2,000,000					+2,000,000
United States Information Agency						
Salaries and expenses .....	475,645,000	496,002,000	445,645,000	445,645,000	445,645,000	-30,000,000
Technology fund .....		10,100,000	5,050,000	5,050,000	5,050,000	+5,050,000
Office of Inspector General .....	4,300,000	4,583,000				-4,300,000
Educational and cultural exchange programs .....	233,279,000	252,676,000	200,000,000	200,000,000	200,000,000	-33,279,000
Transfer (FY 1995 Foreign Ops Bill, P.L. 103-336) .....	42,000,000					-42,000,000
Subtotal .....	275,279,000	252,676,000	200,000,000	200,000,000	200,000,000	-75,279,000
Eisenhower Exchange Fellowship Program, trust fund .....	2,800,000	300,000	509,000	509,000	509,000	-2,291,000
Israeli Arab scholarship program .....	397,000	397,000	397,000	397,000	397,000	
International Broadcasting Operations 4/ .....	475,363,000	395,340,000	325,191,000	325,191,000	325,191,000	-150,172,000
Radio Free Asia:						
Operations (direct) .....	5,000,000					-5,000,000
Operations (earmarked) .....		(10,000,000)	(5,000,000)	(5,000,000)	(5,000,000)	(+5,000,000)
Broadcasting to Cuba (direct) .....	24,809,000		24,809,000	24,809,000	24,809,000	
Broadcasting to Cuba (earmarked) .....		(26,063,000)				26,063,000
Radio construction .....	69,314,000	85,919,000	40,000,000	40,000,000	40,000,000	-25,314,000
East-West Center .....	24,500,000	20,000,000	11,750,000	11,750,000	11,750,000	-12,750,000
North/South Center .....	4,000,000	1,000,000	2,000,000	2,000,000	2,000,000	-2,000,000
National Endowment for Democracy .....	34,000,000	34,000,000	30,000,000	30,000,000	30,000,000	-4,000,000
Total, United States Information Agency .....	1,395,407,000	1,300,327,000	1,085,351,000	1,085,351,000	1,085,351,000	-310,056,000
Total, related agencies .....	1,443,785,000	1,376,627,000	1,118,051,000	1,121,051,000	1,124,051,000	-319,734,000
Total, title IV, Department of State .....	5,587,435,000	5,578,938,000	4,764,539,000	4,767,539,000	5,096,539,000	-490,896,000
<b>TITLE V - RELATED AGENCIES</b>						
<b>DEPARTMENT OF TRANSPORTATION</b>						
<b>Maritime Administration</b>						
Operating differential subsidies (liquidation of contract authority) .....	(214,356,000)	(162,610,000)	(162,610,000)	(162,610,000)	(162,610,000)	(-51,746,000)
Maritime National Security Program .....		175,000,000				+175,000,000
Defense function .....			46,000,000	46,000,000	46,000,000	
Operations and training .....	76,087,000	81,650,000	66,600,000	66,600,000	66,600,000	-9,487,000
Ready reserve force:						
Maintenance, operations and facilities .....	149,653,000					+149,653,000
Rescission .....	-158,000,000					+158,000,000
Total, Ready reserve force .....	-8,347,000					+8,347,000
Maritime Guaranteed Loan Program Account:						
Guaranteed loans subsidy .....	25,000,000	48,000,000	40,000,000	40,000,000	40,000,000	+15,000,000
(Limitation on guaranteed loans) .....	(250,000,000)	(1,000,000,000)	(1,000,000,000)	(1,000,000,000)	(1,000,000,000)	(+750,000,000)
Administrative expenses .....	2,000,000	4,000,000	3,500,000	3,500,000	3,500,000	+1,500,000
Total, Maritime guaranteed loan program account .....	27,000,000	52,000,000	43,500,000	43,500,000	43,500,000	+18,500,000
Total, Maritime Administration .....	94,740,000	308,650,000	156,100,000	156,100,000	156,100,000	+61,360,000
<b>Commission for the Preservation of America's Heritage Abroad</b>						
Salaries and expenses .....	206,000	212,000	206,000	206,000	206,000	
Commission on Civil Rights .....						
Salaries and expenses .....	9,000,000	11,400,000	8,750,000	8,750,000	8,750,000	-250,000
Commission on Immigration Reform .....						
Salaries and expenses .....	1,894,000	2,877,000	1,894,000	1,894,000	1,894,000	
Commission on Security and Cooperation in Europe .....						
Salaries and expenses .....	1,090,000	1,122,000	1,090,000	1,090,000	1,090,000	
Competitiveness Policy Council .....						
Salaries and expenses .....	1,000,000	503,000		100,000	50,000	-850,000
Equal Employment Opportunity Commission .....						
Salaries and expenses .....	233,000,000	268,000,000	233,000,000	233,000,000	233,000,000	

**FY 1996 DEPARTMENTS OF COMMERCE, JUSTICE AND STATE, THE JUDICIARY, AND RELATED AGENCIES  
APPROPRIATIONS BILL (H.R. 3019) — continued**

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
<b>Federal Communications Commission</b>						
Salaries and expenses .....	185,232,000	223,600,000	175,709,000	195,709,000	185,709,000	+ 477,000
Offsetting fee collections - current year .....	-116,400,000	-116,400,000	-116,400,000	-136,400,000	-126,400,000	-10,000,000
Direct appropriation.....	68,832,000	107,200,000	59,309,000	59,309,000	59,309,000	-9,523,000
<b>Federal Maritime Commission</b>						
Salaries and expenses.....	18,569,000	18,947,000	14,855,000	14,855,000	14,855,000	-3,714,000
Offsetting fee collections.....		-2,228,000				
Direct appropriation.....	18,569,000	16,719,000	14,855,000	14,855,000	14,855,000	-3,714,000
<b>Federal Trade Commission</b>						
Salaries and expenses.....	98,928,000	107,873,000	98,928,000	98,928,000	98,928,000	
Offsetting fee collections - carryover.....	-4,500,000		-19,360,000	-19,360,000	-19,360,000	-14,860,000
Offsetting fee collections - current year .....	-39,840,000	-48,262,000	-48,262,000	-48,262,000	-48,262,000	-8,622,000
Direct appropriation.....	54,788,000	59,611,000	31,306,000	31,306,000	31,306,000	-23,482,000
<b>Japan - United States Friendship Commission</b>						
Japan - United States Friendship Trust Fund .....	1,247,000	1,250,000	1,247,000	1,247,000	1,247,000	
(Foreign currency appropriation).....	(1,420,000)	(1,420,000)	(1,420,000)	(1,420,000)	(1,420,000)	
<b>Legal Services Corporation</b>						
Payment to the Legal Services Corporation .....	400,000,000	440,000,000	278,000,000	300,000,000	278,000,000	-122,000,000
<b>Marine Mammal Commission</b>						
Salaries and expenses.....	1,384,000	1,425,000	1,190,000	1,190,000	1,190,000	-194,000
<b>Martin Luther King, Jr. Federal Holiday Commission</b>						
Salaries and expenses.....	300,000	350,000	350,000	350,000	350,000	+ 50,000
<b>National Bankruptcy Review Commission</b>						
Salaries and expenses (by transfer).....	(1,000,000)					(-1,000,000)
<b>Ounce of Prevention Council</b>						
Direct appropriation.....				1,500,000	1,500,000	+ 1,500,000
Crime trust fund 4) .....		14,700,000				
Total, Ounce of Prevention Council.....		14,700,000		1,500,000	1,500,000	+ 1,500,000
<b>Securities and Exchange Commission</b>						
Salaries and expenses.....	297,405,000	342,922,000	297,405,000	297,405,000	297,405,000	
Offsetting fee collections.....	-192,000,000		-184,293,000	-184,293,000	-184,293,000	+ 7,707,000
Offsetting fee collections - carryover.....	-30,549,000		-9,667,000	-9,667,000	-9,667,000	+ 20,882,000
Investment adviser fee - offsetting collection .....	(-8,595,000)					(+ 8,595,000)
Direct appropriation.....	74,856,000	342,922,000	103,445,000	103,445,000	103,445,000	+ 28,589,000
<b>Small Business Administration</b>						
Salaries and expenses.....	251,504,000	242,831,000	222,490,000	222,490,000	222,490,000	-29,014,000
Offsetting fee collections.....	-9,350,000	-3,300,000	-3,300,000	-3,300,000	-3,300,000	+ 6,050,000
Direct appropriation.....	242,154,000	239,531,000	219,190,000	219,190,000	219,190,000	-22,964,000
Office of Inspector General.....	8,500,000	9,200,000	8,500,000	8,500,000	8,500,000	
<b>Business Loans Program Account:</b>						
Direct loans subsidy .....	3,596,000	12,428,000	4,500,000	4,500,000	4,500,000	+ 904,000
Guaranteed loans subsidy 5) .....	274,439,000	50,835,000	155,010,000	155,010,000	155,010,000	-119,429,000
Micro loan guarantees .....	1,216,000	1,700,000	1,216,000	1,216,000	1,216,000	
Section 503, prepayment.....	30,000,000					-30,000,000
Administrative expenses.....	97,000,000	99,910,000	92,622,000	92,622,000	92,622,000	-4,378,000
Total, Business loans program account .....	406,251,000	164,873,000	253,348,000	253,348,000	253,348,000	-152,903,000
<b>Disaster Loans Program Account:</b>						
Direct loans subsidy 5) .....	52,153,000	34,432,000	34,432,000	34,432,000	34,432,000	-17,721,000
Administrative expenses.....	78,000,000	60,340,000	71,578,000	71,578,000	71,578,000	6,422,000
Contingency fund (emergency).....	125,000,000	100,000,000				-125,000,000
Total, Disaster loans program account.....	255,153,000	214,772,000	106,010,000	106,010,000	106,010,000	-149,143,000
Surety bond guarantees revolving fund.....	5,369,000	2,530,000	2,530,000	2,530,000	2,530,000	-2,839,000
Total, Small Business Administration.....	917,427,000	630,906,000	589,578,000	589,578,000	589,578,000	-327,849,000

**FY 1996 DEPARTMENTS OF COMMERCE, JUSTICE AND STATE, THE JUDICIARY, AND RELATED AGENCIES  
APPROPRIATIONS BILL (H.R. 3019) — continued**

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
<b>State Justice Institute</b>						
Salaries and expenses 6/	13,550,000	13,550,000	5,000,000	5,000,000	5,000,000	-8,550,000
Crime trust fund		600,000				
<b>Total, State Justice Institute</b>	<b>13,550,000</b>	<b>14,150,000</b>	<b>5,000,000</b>	<b>5,000,000</b>	<b>5,000,000</b>	<b>-8,550,000</b>
<b>Total, title V, Related agencies</b>						
Appropriations	1,891,883,000	2,221,997,000	1,485,320,000	1,508,920,000	1,486,870,000	-405,013,000
Rescission	(2,049,883,000)	(2,206,687,000)	(1,485,320,000)	(1,508,920,000)	(1,486,870,000)	(-563,013,000)
Crime trust fund	(-158,000,000)					(+ 158,000,000)
(Liquidation of contract authority)		(15,300,000)				
	(214,358,000)	(162,610,000)	(162,610,000)	(162,610,000)	(162,610,000)	(-51,748,000)
<b>TITLE VI - GENERAL PROVISIONS</b>						
Procurement: General provisions 7/	-11,769,000					+ 11,769,000
<b>Total, title VI, general provisions</b>	<b>-11,769,000</b>					<b>+ 11,769,000</b>
<b>TITLE VII - RESCISSIONS</b>						
<b>DEPARTMENT OF JUSTICE</b>						
<b>General Administration</b>						
Working capital fund (rescission)			-65,000,000	-65,000,000	-65,000,000	-65,000,000
<b>DEPARTMENT OF STATE</b>						
<b>Administration of Foreign Affairs</b>						
Acquisition and maintenance of buildings abroad (rescission)			-60,000,000	-95,500,000	-64,500,000	-64,500,000
<b>RELATED AGENCIES</b>						
<b>United States information Agency</b>						
Radio construction (rescission)			-7,400,000	-7,400,000	-7,400,000	-7,400,000
<b>Total, title VII, Rescissions</b>			<b>-132,400,000</b>	<b>-167,900,000</b>	<b>-136,900,000</b>	<b>-136,900,000</b>
<b>Grand total:</b>						
New budget (obligational) authority	26,698,336,000	31,158,679,000	27,284,734,000	27,299,134,000	27,841,284,000	+ 1,142,948,000
Appropriations	(24,541,686,000)	(27,148,479,000)	(23,536,165,000)	(23,536,065,000)	(24,097,215,000)	(-444,471,000)
Rescissions	(-171,250,000)		(-207,400,000)	(-242,800,000)	(-211,900,000)	(-40,850,000)
Crime trust fund	(2,327,900,000)	(4,010,200,000)	(3,955,969,000)	(3,955,969,000)	(3,955,969,000)	(+ 1,628,069,000)
(By transfer)	(56,500,000)	(55,500,000)	(106,000,000)	(106,000,000)	(106,000,000)	(+ 49,500,000)
(Limitation on administrative expenses)	(3,463,000)	(3,559,000)	(3,559,000)	(3,559,000)	(3,559,000)	(+ 96,000)
(Limitation on direct loans)	(741,000)	(741,000)	(741,000)	(741,000)	(741,000)	
(Liquidation of contract authority)	(214,358,000)	(162,610,000)	(162,610,000)	(162,610,000)	(162,610,000)	(-51,748,000)
(Foreign currency appropriation)	(1,420,000)	(1,420,000)	(1,420,000)	(1,420,000)	(1,420,000)	

1/ 1995 "Salaries and expenses" funds were used for "Administrative review and appeals".

2/ Doesn't reflect transfers to INS and GLA.

3/ Includes budget amendment of -\$3,265,000 related to privatization of portions of the National Weather Service. Legislation will be proposed to offset this account from the Marine

Navigation Trust Fund.

4/ Funding of \$1,500,000 was provided under Office of Justice Programs in FY 1995.

5/ Assumes legislation to lower the subsidy for these accounts through new fees and increases in interest rates.

6/ The State Justice Institute is authorized to submit its budget directly to Congress. The President's request includes \$7,000,000 for the institute.

7/ The FY 1995 budget authority amount reflects the unspread balance.

## FY 1996 DISTRICT OF COLUMBIA APPROPRIATIONS BILL (H.R. 3019)

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I						
FEDERAL FUNDS						
Federal payment to the District of Columbia.....	660,000,000	660,000,000	660,000,000	660,000,000	660,000,000	
Federal contribution to retirement funds.....	52,070,000	52,070,000	52,000,000	52,070,000	52,070,000	
Federal contribution for education reform.....				14,930,000		
Total, Federal funds to the District of Columbia.....	712,070,000	712,070,000	712,000,000	727,000,000	712,070,000	
DISTRICT OF COLUMBIA FUNDS						
Operating Expenses						
Governmental direction and support.....	(131,077,000)	(150,721,000)	(149,793,000)	(149,130,000)	(149,130,000)	(+16,053,000)
Economic development and regulation.....	(149,858,000)	(142,711,000)	(139,285,000)	(140,983,000)	(140,983,000)	(+6,875,000)
Human resources development.....	(87,752,000)					(+87,752,000)
Public safety and justice.....	(602,466,000)	(660,747,000)	(654,106,000)	(663,848,000)	(663,848,000)	(+61,382,000)
Public education system.....	(832,303,000)	(800,080,000)	(788,983,000)	(795,201,000)	(795,201,000)	(-37,102,000)
Education reform.....				(14,930,000)		
Human support services.....	(1,842,848,000)	(1,859,822,000)	(1,845,638,000)	(1,855,014,000)	(1,855,014,000)	(+312,386,000)
Public works.....	(279,627,000)	(297,568,000)	(297,326,000)	(297,568,000)	(297,568,000)	(+17,941,000)
Financing and other.....		(269,654,000)				
Washington Convention Center Fund.....	(12,850,000)		(5,400,000)	(5,400,000)	(5,400,000)	(-7,450,000)
Repayment of loans and interest.....	(306,768,000)		(327,787,000)	(327,787,000)	(327,787,000)	(+21,019,000)
Repayment of general fund recovery debt.....	(38,678,000)		(38,678,000)	(38,678,000)	(38,678,000)	
Short-term borrowing.....	(5,000,000)		(9,698,000)	(9,698,000)	(9,698,000)	(+4,698,000)
Pay renegotiation or reduction in compensation.....			(-46,409,000)	(-46,409,000)	(-46,409,000)	(-46,409,000)
Optical and dental benefits.....	(3,312,000)					(-3,312,000)
Pay adjustment.....	(106,095,000)					(-106,095,000)
D.C. General Hospital deficit payment.....	(10,000,000)					(-10,000,000)
Rainy day fund.....	(22,508,000)	(4,563,000)	(4,563,000)	(4,563,000)	(4,563,000)	(-17,945,000)
Job-producing economic development incentives.....	(22,600,000)					(-22,600,000)
Cash reserve fund.....	(3,957,000)					(-3,957,000)
Incentive buyout program.....			(19,000,000)	(19,000,000)	(19,000,000)	(+19,000,000)
Outplacement.....			(1,500,000)	(1,500,000)	(1,500,000)	(+1,500,000)
Boards and Commissions.....		(-500,000)	(-500,000)	(-500,000)	(-500,000)	(500,000)
Government reengineering program.....			(-16,000,000)	(-16,000,000)	(-16,000,000)	(-16,000,000)
Personal and nonpersonal services adjustments.....	(-13,632,000)		(-148,411,000)	(-165,837,000)	(-150,907,000)	(-137,275,000)
Sec. 136(a) reduction in FY 1995 expenses.....	(-140,000,000)					(+140,000,000)
Total, operating expenses, general fund.....	(4,303,887,000)	(4,485,166,000)	(4,370,437,000)	(4,394,554,000)	(4,394,554,000)	(+90,687,000)
Capital Outlay						
General fund.....	(84,238,000)	(62,562,000)	(62,562,000)	(62,562,000)	(62,562,000)	(-31,676,000)
Enterprise Funds						
Water and Sewer Enterprise Fund:						
Operating expenses.....	(275,576,000)	(243,853,000)	(193,398,000)	(242,253,000)	(242,253,000)	(-33,323,000)
Capital outlay.....	(23,354,635)	(39,477,000)	(39,477,000)	(39,477,000)	(39,477,000)	(+16,122,365)
Total, Water and Sewer Enterprise Fund.....	(298,930,635)	(283,330,000)	(232,875,000)	(281,730,000)	(281,730,000)	(-17,200,635)
Lottery and Charitable Games Enterprise Fund.....	(192,068,000)	(229,950,000)	(229,907,000)	(229,950,000)	(229,950,000)	(+37,882,000)
Cable Television Enterprise Fund.....	(2,654,000)	(2,351,000)	(2,469,000)	(2,351,000)	(2,351,000)	(-303,000)
Sports Commission (STARPLEX).....	(6,392,000)	(5,580,000)	(6,637,000)	(6,580,000)	(6,580,000)	(+188,000)
D.C. General Hospital.....	(143,920,000)	(115,034,000)	(-2,487,000)	(58,299,000)	(58,299,000)	(-85,621,000)
D.C. Retirement Board.....		(13,440,000)	(13,417,000)	(13,440,000)	(13,440,000)	(+13,440,000)
Correctional Industries.....	(7,642,000)	(10,516,000)	(10,048,000)	(10,516,000)	(10,516,000)	(+2,874,000)
Washington Convention Center Enterprise Fund.....	(19,541,000)	(37,967,000)	(37,957,000)	(32,357,000)	(32,357,000)	(+13,016,000)
D.C. Financial Responsibility and Management.....						
Assistance Authority.....		(3,500,000)	(3,500,000)	(3,500,000)	(3,500,000)	(+3,500,000)
Total, Enterprise Funds.....	(671,147,635)	(702,658,000)	(536,323,000)	(638,923,000)	(638,923,000)	(-32,224,635)
Total, District of Columbia funds.....	(5,069,252,635)	(5,250,386,000)	(4,969,322,000)	(5,096,039,000)	(5,096,039,000)	(+28,786,365)
Total, title I, fiscal year 1996 appropriations:						
Federal Funds to the District of Columbia.....	712,070,000	712,070,000	712,000,000	727,000,000	712,070,000	
District of Columbia funds.....	(5,069,252,635)	(5,250,386,000)	(4,969,322,000)	(5,096,039,000)	(5,096,039,000)	(+28,786,365)



## FY 1996 DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL (H.R. 3019)

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - DEPARTMENT OF THE INTERIOR						
Bureau of Land Management						
Management of lands and resources .....	597,236,000	616,547,000	567,152,000	567,753,000	567,453,000	-29,763,000
Fire protection .....	114,748,000	114,763,000				-114,748,000
Emergency Department of the Interior firefighting fund .....	121,176,000	131,482,000				-121,176,000
Wildland fire management .....			235,924,000	235,924,000	235,924,000	-235,924,000
Central hazard account .....	13,409,000	14,024,000	10,000,000	10,000,000	10,000,000	-3,409,000
Construction and access .....	12,068,000	3,019,000	3,115,000	3,115,000	3,115,000	-8,953,000
Payments in lieu of taxes .....	101,409,000	113,911,000	101,500,000	101,500,000	113,500,000	+12,091,000
Land acquisition .....	14,757,000	24,773,000	12,800,000	12,800,000	12,800,000	-1,957,000
Oregon and California grant lands .....	97,364,000	112,752,000	93,379,000	97,452,000	97,452,000	+86,000
Range improvements (indefinite) .....	10,350,000	9,113,000	9,113,000	9,113,000	9,113,000	-1,237,000
Service charges, deposits, & forfeitures (indefinite) .....	8,883,000	8,993,000	8,993,000	8,993,000	8,993,000	+110,000
Miscellaneous trust funds (indefinite) .....	7,605,000	7,605,000	7,605,000	7,605,000	7,605,000	
Total, Bureau of Land Management .....	1,099,005,000	1,156,682,000	1,049,561,000	1,054,255,000	1,065,955,000	-33,050,000
United States Fish and Wildlife Service						
Resource management .....	511,334,000	535,018,000	497,670,000	499,100,000	501,010,000	-10,324,000
Construction .....	53,768,000	34,095,000	37,955,000	37,695,000	37,695,000	-16,113,000
Natural resource damage assessment and restoration fund .....	6,687,000	6,700,000	4,000,000	4,000,000	4,000,000	-2,687,000
Land acquisition .....	67,141,000	62,912,000	45,400,000	36,900,000	36,900,000	-30,241,000
Cooperative endangered species conservation fund .....	8,983,000	36,000,000	8,085,000	8,085,000	8,085,000	-898,000
National wildlife refuge fund .....	11,577,000	11,371,000	10,779,000	10,779,000	10,779,000	-1,198,000
Rewards and operations .....	1,187,000	1,158,000	600,000	600,000	600,000	-587,000
North American wetlands conservation fund .....	8,993,000	12,000,000	6,750,000	6,750,000	6,750,000	-2,233,000
Lahortan Valley and Pyramid Lake fish and wildlife fund .....		152,000	152,000	152,000	152,000	+152,000
Rhinoceros and tiger conservation fund .....		400,000	200,000	200,000	200,000	+200,000
Wildlife conservation and appreciation fund .....	998,000	1,000,000	800,000	800,000	800,000	-198,000
Total, United States Fish and Wildlife Service .....	671,038,000	702,817,000	612,091,000	605,021,000	606,931,000	-64,107,000
Natural Resources Science Agency						
Research, inventories, and surveys .....	162,041,000	172,696,000				-162,041,000
National Park Service						
Operation of the national park system .....	1,077,900,000	1,157,738,000	1,086,014,000	1,084,755,000	1,082,481,000	+4,581,000
National recreation and preservation .....	42,941,000	39,305,000	37,646,000	37,646,000	37,646,000	-5,295,000
Historic preservation fund .....	41,421,000	43,000,000	36,212,000	36,212,000	36,212,000	-5,209,000
Construction .....	167,688,000	179,863,000	143,225,000	143,225,000	143,225,000	-24,463,000
C&O Canal (P.L. 104-99) .....			2,000,000	2,000,000	2,000,000	+2,000,000
Urban park and recreation fund .....	6,000	2,300,000				-6,000
Land and water conservation fund (recession of contract authority) .....	-30,000,000	-30,000,000	-30,000,000	-30,000,000	-30,000,000	
Land acquisition and state assistance .....	87,373,000	82,696,000	57,500,000	49,100,000	49,100,000	-38,273,000
Crime trust fund .....		15,200,000				
Total, National Park Service (net) .....	1,387,329,000	1,490,122,000	1,332,700,000	1,322,941,000	1,320,667,000	-66,862,000
United States Geological Survey						
Surveys, investigations, and research .....	571,462,000	586,369,000	729,995,000	730,330,000	730,163,000	+158,701,000
Minerals Management Service						
Royalty and offshore minerals management .....	188,181,000	193,348,000	182,339,000	182,771,000	182,555,000	-5,626,000
Oil spill research .....	6,440,000	7,892,000	6,440,000	6,440,000	6,440,000	
Total, Minerals Management Service .....	194,621,000	201,240,000	188,779,000	189,211,000	188,995,000	-5,626,000
Bureau of Mines						
Mines and minerals .....	152,427,000	132,507,000	64,000,000	64,000,000	64,000,000	-88,427,000
Office of Surface Mining Reclamation and Enforcement						
Regulation and technology .....	109,795,000	107,152,000	95,470,000	95,470,000	95,470,000	-14,325,000
Receipts from performance bond forfeitures (indefinite) .....	1,189,000	501,000	500,000	500,000	500,000	-689,000
Subtotal .....	110,984,000	107,653,000	95,970,000	95,970,000	95,970,000	-15,014,000
Abandoned mine reclamation fund (definite, trust fund) .....	182,423,000	185,120,000	173,887,000	173,887,000	173,887,000	-8,536,000
Total, Office of Surface Mining Reclamation and Enforcement .....	293,407,000	292,773,000	269,857,000	269,857,000	269,857,000	-23,550,000
Bureau of Indian Affairs						
Operation of Indian programs .....	1,519,012,000	1,609,842,000	1,384,434,000	1,384,434,000	1,384,434,000	-134,578,000
Construction .....	120,450,000	125,424,000	100,833,000	100,833,000	100,833,000	-19,617,000
Indian land and water claim settlements and miscellaneous payments to Indians .....	77,096,000	151,025,000	80,645,000	80,645,000	80,645,000	+3,549,000

**FY 1996 DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES  
APPROPRIATIONS BILL (H.R. 3019) — continued**

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
Navajo rehabilitation trust fund.....	1,996,000					-1,996,000
Technical assistance of Indian enterprises.....	1,966,000	1,966,000	500,000	500,000	500,000	-1,466,000
Indian direct loan program account.....	779,000					-779,000
(Limitation on direct loans).....	(10,890,000)					(-10,890,000)
Indian guaranteed loan program account.....	9,671,000	9,684,000	5,000,000	5,000,000	5,000,000	-4,671,000
(Limitation on guaranteed loans).....	(46,900,000)	(70,100,000)	(35,914,000)	(35,914,000)	(35,914,000)	(-10,986,000)
<b>Total, Bureau of Indian Affairs.....</b>	<b>1,730,970,000</b>	<b>1,897,941,000</b>	<b>1,571,412,000</b>	<b>1,571,412,000</b>	<b>1,571,412,000</b>	<b>-159,558,000</b>
<b>Territorial and International Affairs</b>						
Assistance to territories.....	50,481,000	41,512,000	37,468,000	37,468,000	37,468,000	-13,013,000
Northern Mariana Islands Covenant.....	27,720,000	27,720,000	27,720,000	27,720,000	27,720,000	
<b>Subtotal.....</b>	<b>78,201,000</b>	<b>69,232,000</b>	<b>65,186,000</b>	<b>65,186,000</b>	<b>65,186,000</b>	<b>-13,013,000</b>
Trust Territory of the Pacific Islands.....	19,800,000					-19,800,000
Compact of Free Association.....	13,574,000	10,038,000	10,038,000	10,038,000	10,038,000	-3,536,000
Mandatory payments.....	10,000,000	14,900,000	14,900,000	14,900,000	14,900,000	+4,900,000
<b>Subtotal.....</b>	<b>23,574,000</b>	<b>24,938,000</b>	<b>24,938,000</b>	<b>24,938,000</b>	<b>24,938,000</b>	<b>+1,364,000</b>
<b>Total, Territorial and International Affairs.....</b>	<b>121,575,000</b>	<b>94,170,000</b>	<b>90,126,000</b>	<b>90,126,000</b>	<b>90,126,000</b>	<b>-31,449,000</b>
<b>Departmental Offices</b>						
Departmental management.....	62,479,000	64,772,000	55,901,000	57,117,000	56,912,000	-5,567,000
Office of the Solicitor.....	34,608,000	35,361,000	34,337,000	34,516,000	34,427,000	-181,000
Office of Inspector General.....	23,539,000	25,485,000	23,939,000	23,939,000	23,939,000	
Construction Management.....	1,996,000	2,000,000	500,000	500,000	500,000	-1,496,000
National Indian Gaming Commission.....	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	
Office of Special Trustee for American Indians.....			16,336,000	16,336,000	16,336,000	+16,336,000
<b>Total, Departmental Offices.....</b>	<b>124,022,000</b>	<b>128,618,000</b>	<b>131,915,000</b>	<b>133,410,000</b>	<b>133,116,000</b>	<b>+9,094,000</b>
<b>Total, title I, Department of the Interior:</b>						
New budget (obligational) authority (net).....	6,507,897,000	6,855,935,000	6,040,456,000	6,030,563,000	6,041,222,000	-466,875,000
Appropriations.....	(6,537,897,000)	(6,870,735,000)	(6,070,456,000)	(6,060,563,000)	(6,071,222,000)	(-466,875,000)
Rescission.....	(-30,000,000)	(-30,000,000)	(-30,000,000)	(-30,000,000)	(-30,000,000)	
Crime trust fund.....		(15,200,000)				-15,200,000
(Limitation on direct loans).....	(10,890,000)					(-10,890,000)
(Limitation on guaranteed loans).....	(46,900,000)	(70,100,000)	(35,914,000)	(35,914,000)	(35,914,000)	(-10,986,000)
<b>TITLE II - RELATED AGENCIES</b>						
<b>DEPARTMENT OF AGRICULTURE</b>						
<b>Forest Service</b>						
Forest research.....	193,748,000	203,796,000	178,000,000	177,757,000	178,000,000	-15,748,000
State and private forestry.....	154,268,000	187,459,000	136,794,000	136,695,000	136,884,000	-17,384,000
Emergency pest suppression fund.....	17,000,000					-17,000,000
International forestry.....	4,987,000	10,000,000				-4,987,000
National forest system.....	1,328,883,000	1,348,755,000	1,256,253,000	1,255,004,999	1,257,057,000	-71,836,000
Forest Service fire protection.....	159,285,000	164,285,000				-159,285,000
Emergency Forest Service firefighting fund.....	226,200,000	239,000,000				-226,200,000
Emergency appropriations.....	450,000,000					-450,000,000
Wildland Fire Management.....			385,485,000	385,485,000	385,485,000	
Construction.....	199,215,000	192,338,000	163,500,000	163,384,000	163,600,000	-35,615,000
Timber receipts transfer to general fund (indefinite).....	(-44,768,000)	(-44,548,000)	(-44,548,000)	(-44,548,000)	(-44,548,000)	
Timber purchaser credits.....	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	
Land acquisition.....	83,882,000	65,311,000	24,200,000	41,200,000	39,400,000	-24,482,000
Acquisition of lands for national forests, special acts.....	1,250,000	1,317,000	1,068,000	1,068,000	1,068,000	
Acquisition of lands to complete land exchanges (indefinite).....	210,000	210,000	210,000	210,000	210,000	
Range betterment fund (indefinite).....	4,575,000	3,975,000	3,976,000	3,976,000	3,976,000	-599,000
Gifts, donations and bequests for forest and rangeland research.....	89,000	92,000	92,000	92,000	92,000	
Southeast Alaska economic disaster fund.....					110,000,000	+110,000,000
<b>Total, Forest Service.....</b>	<b>2,803,602,000</b>	<b>2,416,539,000</b>	<b>2,149,579,000</b>	<b>2,164,872,999</b>	<b>2,275,773,000</b>	<b>-527,829,000</b>
<b>DEPARTMENT OF ENERGY</b>						
Clean coal technology.....	-337,879,000	-155,019,000				+337,879,000
Fossil energy research and development.....	423,701,000	436,508,000	416,943,000	417,092,000	417,018,000	-6,863,000
(By transfer).....	(17,000,000)					(-17,000,000)
Alternative fuels production (indefinite).....	-3,900,000	-2,400,000	-2,400,000	-2,400,000	-2,400,000	
Naval petroleum and oil shale reserves.....	187,048,000	101,028,000	148,786,000	148,786,000	148,786,000	-38,262,000
Energy conservation.....	755,751,000	823,561,000	353,137,000	353,240,000	353,189,000	-202,562,000
Biomass Energy Development (transfer).....		-15,000,000	-16,000,000	-16,000,000	-16,000,000	
Economic regulation.....	12,413,000	10,500,000	6,297,000	6,297,000	6,297,000	-6,116,000
Emergency preparedness.....	8,233,000	8,219,000				-8,233,000

**FY 1996 DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES  
APPROPRIATIONS BILL (H.R. 3019) — continued**

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
Strategic Petroleum Reserve.....	135,954,000	25,689,000				-135,954,000
(By transfer).....	(90,784,000)	(187,000,000)	(187,000,000)	(187,000,000)	(187,000,000)	(+96,216,000)
Energy Information Administration.....	84,569,000	84,669,000	72,296,000	72,296,000	72,296,000	-12,300,000
Total, Department of Energy.....	1,265,887,000	1,416,775,000	1,179,029,000	1,179,281,000	1,179,156,000	-86,731,000
<b>DEPARTMENT OF HEALTH AND HUMAN SERVICES</b>						
Indian Health Service						
Indian health services.....	1,709,780,000	1,816,350,000	1,747,842,000	1,747,842,000	1,747,842,000	+38,062,000
Indian health facilities.....	253,262,000	242,672,000	236,956,000	236,956,000	236,956,000	-14,324,000
Total, Indian Health Service.....	1,963,062,000	2,059,022,000	1,986,800,000	1,986,800,000	1,986,800,000	+23,738,000
<b>DEPARTMENT OF EDUCATION</b>						
Office of Elementary and Secondary Education						
Indian education.....	81,341,000	84,785,000	52,500,000	52,500,000	52,500,000	-28,841,000
<b>OTHER RELATED AGENCIES</b>						
Office of Navajo and Hopi Indian Relocation						
Salaries and expenses.....	24,886,000	26,345,000	20,345,000	20,345,000	20,345,000	-4,543,000
Institute of American Indian and Alaska Native Culture and Arts Development						
Payment to the Institute.....	11,213,000	19,846,000	5,500,000	5,500,000	5,500,000	-5,713,000
<b>Smithsonian Institution</b>						
Salaries and expenses.....	313,853,000	329,800,000	308,188,000	308,188,000	311,188,000	-2,665,000
Construction and improvements, National Zoological Park.....	3,042,000	4,950,000	3,250,000	3,250,000	3,250,000	+258,000
Repair and restoration of buildings.....	23,954,000	34,000,000	33,954,000	33,954,000	33,954,000	+10,000,000
Construction.....	21,857,000	36,700,000	27,700,000	27,700,000	27,700,000	+5,843,000
Total, Smithsonian Institution.....	362,706,000	407,450,000	373,092,000	373,092,000	376,092,000	+13,386,000
<b>National Gallery of Art</b>						
Salaries and expenses.....	52,909,000	54,566,000	51,844,000	51,844,000	51,844,000	-1,058,000
Repair, restoration and renovation of buildings.....	4,016,000	9,865,000	6,442,000	6,442,000	6,442,000	+2,426,000
Total, National Gallery of Art.....	56,918,000	64,451,000	58,286,000	58,286,000	58,286,000	+1,386,000
<b>John F. Kennedy Center for the Performing Arts</b>						
Operations and maintenance.....	10,323,000	10,373,000	10,323,000	10,323,000	10,323,000	
Construction.....	8,983,000	9,000,000	8,983,000	8,983,000	8,983,000	
Total, John F. Kennedy Center for the Performing Arts.....	19,306,000	19,373,000	19,306,000	19,306,000	19,306,000	
<b>Woodrow Wilson International Center for Scholars</b>						
Salaries and expenses.....	8,878,000	10,070,000	5,840,000	5,840,000	5,840,000	-3,038,000
<b>National Foundation on the Arts and the Humanities</b>						
National Endowment for the Arts						
Grants and administration.....	133,846,000	143,675,000	82,259,000	82,259,000	82,259,000	-51,587,000
Matching grants.....	28,512,000	28,725,000	17,235,000	17,235,000	17,235,000	-11,277,000
Total, National Endowment for the Arts.....	162,358,000	172,400,000	99,494,000	99,494,000	99,494,000	-62,864,000
National Endowment for the Humanities						
Grants and administration.....	146,131,000	156,037,000	94,000,000	94,000,000	94,000,000	-52,131,000
Matching grants.....	25,913,000	25,913,000	16,000,000	16,000,000	16,000,000	-9,913,000
Total, National Endowment for the Humanities.....	172,044,000	182,000,000	110,000,000	110,000,000	110,000,000	-62,044,000
<b>Institute of Museum Services</b>						
Grants and administration.....	28,715,000	29,800,000	21,000,000	21,000,000	21,000,000	-7,715,000
Total, National Foundation on the Arts and the Humanities..	363,117,000	384,200,000	230,494,000	230,494,000	230,494,000	-132,623,000
<b>Commission of Fine Arts</b>						
Salaries and expenses.....	834,000	879,000	834,000	834,000	834,000	
<b>National Capital Arts and Cultural Affairs</b>						
Grants.....	7,500,000	6,941,000	6,000,000	6,000,000	6,000,000	-1,500,000
<b>Advisory Council on Historic Preservation</b>						
Salaries and expenses.....	2,947,000	3,063,000	2,500,000	2,500,000	2,500,000	-447,000
<b>National Capital Planning Commission</b>						
Salaries and expenses.....	5,655,000	6,000,000	5,090,000	5,090,000	5,090,000	-565,000

**FY 1996 DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES  
APPROPRIATIONS BILL (H.R. 3019) — continued**

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
<b>Franklin Delano Roosevelt Memorial Commission</b>						
Salaries and expenses .....	48,000	147,000	147,000	147,000	147,000	+99,000
<b>Pennsylvania Avenue Development Corporation</b>						
Salaries and expenses .....	2,738,000	3,043,000				-2,738,000
Public development .....	4,084,000	2,445,000				-4,084,000
Land acquisition and development fund .....		1,388,000				
Rescission of prior year funds .....				-2,172,000		
Total, Pennsylvania Avenue Development Corporation .....	6,822,000	6,876,000		-2,172,000		-6,822,000
<b>United States Holocaust Memorial Council</b>						
Holocaust Memorial Council .....	26,609,000	28,707,000	28,707,000	28,707,000	28,707,000	+2,098,000
Total, title II, Related Agencies .....	7,011,333,000	6,961,469,000	6,124,049,000	6,137,422,999	6,253,370,000	-757,963,000
(Timber receipts transfer to general fund, indefinite) .....	(44,769,000)	(44,548,000)	(44,548,000)	(44,548,000)	(44,548,000)	(+221,000)
(Timber purchaser credits) .....	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	
<b>Grand total:</b>						
New budget (obligational) authority (net) .....	13,519,230,000	13,817,404,000	12,164,505,000	12,167,985,999	12,294,592,000	-1,224,638,000
Appropriations .....	(13,549,230,000)	(13,832,204,000)	(12,194,505,000)	(12,200,157,999)	(12,324,592,000)	(-1,224,638,000)
Rescission .....	(30,000,000)	(30,000,000)	(30,000,000)	(32,172,000)	(30,000,000)	
Crime trust fund .....		(15,000,000)				
(Timber receipts transfer to general fund, indefinite) .....	(44,769,000)	(44,548,000)	(44,548,000)	(44,548,000)	(44,548,000)	(+221,000)
(Timber purchaser credits) .....	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	
(By transfer) .....	(107,764,000)	(187,000,000)	(187,000,000)	(187,000,000)	(187,000,000)	(+79,236,000)
<b>TITLE I - DEPARTMENT OF THE INTERIOR</b>						
Bureau of Land Management .....	1,099,009,000	1,156,682,000	1,048,581,000	1,054,255,000	1,065,955,000	-33,090,000
United States Fish and Wildlife Service .....	671,038,000	702,817,000	612,091,000	605,021,000	606,931,000	-64,107,000
National Biological Service .....	162,041,000	172,696,000				-162,041,000
National Park Service .....	1,367,329,000	1,490,122,000	1,332,700,000	1,322,941,000	1,320,667,000	-66,662,000
United States Geological Survey .....	571,462,000	586,369,000	799,995,000	730,330,000	730,163,000	+158,701,000
Minerals Management Service .....	164,821,000	201,240,000	188,779,000	189,911,000	188,969,000	-5,826,000
Bureau of Mines .....	152,427,000	132,507,000	64,000,000	64,000,000	64,000,000	-88,427,000
Office of Surface Mining Reclamation and Enforcement .....	293,407,000	292,773,000	269,857,000	269,857,000	269,857,000	-23,550,000
Bureau of Indian Affairs .....	1,730,970,000	1,697,941,000	1,571,412,000	1,571,412,000	1,571,412,000	-159,558,000
Territorial and International Affairs .....	121,576,000	94,170,000	90,126,000	90,126,000	90,126,000	-31,449,000
Departmental Offices .....	124,022,000	128,818,000	131,915,000	133,410,000	133,116,000	+9,094,000
Total, Title I - Department of the Interior .....	6,507,897,000	6,855,935,000	6,040,456,000	6,030,563,000	6,041,222,000	-466,675,000
<b>TITLE II - RELATED AGENCIES</b>						
Forest Service .....	2,803,622,000	2,416,539,000	2,140,579,000	2,164,872,999	2,275,773,000	-527,829,000
Department of Energy .....	1,265,887,000	1,416,775,000	1,179,029,000	1,179,281,000	1,178,156,000	-86,731,000
Indian Health Service .....	1,963,062,000	2,059,022,000	1,986,800,000	1,986,800,000	1,986,800,000	+23,736,000
Indian Education .....	81,341,000	84,785,000	52,500,000	52,500,000	52,500,000	-28,841,000
Office of Navajo and Hopi Indian Relocation .....	24,888,000	26,345,000	20,345,000	20,345,000	20,345,000	-4,543,000
Institute of American Indian and Alaska Native Culture and Arts Development .....	11,213,000	19,846,000	5,500,000	5,500,000	5,500,000	-5,713,000
Smithsonian Institution .....	362,706,000	407,450,000	373,092,000	373,092,000	378,092,000	+13,866,000
National Gallery of Art .....	56,918,000	64,451,000	58,286,000	58,286,000	58,286,000	+1,386,000
John F. Kennedy Center for the Performing Arts .....	19,306,000	19,373,000	19,306,000	19,306,000	19,306,000	
Woodrow Wilson International Center for Scholars .....	8,878,000	10,070,000	5,840,000	5,840,000	5,840,000	-3,038,000
National Endowment for the Arts .....	182,358,000	172,400,000	99,494,000	99,494,000	99,494,000	-82,864,000
National Endowment for the Humanities .....	172,044,000	162,000,000	110,000,000	110,000,000	110,000,000	-62,044,000
Institute of Museum Services .....	28,715,000	29,800,000	21,000,000	21,000,000	21,000,000	-7,715,000
Commission of Fine Arts .....	634,000	879,000	634,000	634,000	634,000	
National Capital Arts and Cultural Affairs .....	7,500,000	6,941,000	6,000,000	6,000,000	6,000,000	-1,500,000
Advisory Council on Historic Preservation .....	2,947,000	3,063,000	2,500,000	2,500,000	2,500,000	-447,000
National Capital Planning Commission .....	5,655,000	6,000,000	5,090,000	5,090,000	5,090,000	-565,000
Franklin Delano Roosevelt Memorial Commission .....	48,000	147,000	147,000	147,000	147,000	
Pennsylvania Avenue Development Corporation .....	6,822,000	6,876,000		-2,172,000		-6,822,000
Holocaust Memorial Council .....	26,609,000	28,707,000	28,707,000	28,707,000	28,707,000	+2,098,000
Total, Title II - Related Agencies .....	7,011,333,000	6,961,469,000	6,124,045,000	6,137,422,999	6,253,370,000	-757,963,000
Grand total .....	13,519,230,000	13,817,404,000	12,164,505,000	12,167,985,999	12,294,592,000	-1,224,638,000

**H.R. 3019 - DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT,  
AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1996**

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
<b>TITLE I</b>						
<b>DEPARTMENT OF VETERANS AFFAIRS</b>						
<b>Veterans Benefits Administration</b>						
Compensation and pensions.....	17,626,892,000	18,331,561,000	18,331,561,000	18,331,561,000	18,331,561,000	+ 704,669,000
Readjustment benefits.....	1,286,600,000	1,345,300,000	1,345,300,000	1,345,300,000	1,345,300,000	+ 58,700,000
Subtotal.....	1,286,600,000	1,345,300,000	1,345,300,000	1,345,300,000	1,345,300,000	+ 58,700,000
Veterans insurance and indemnities.....	24,760,000	24,890,000	24,890,000	24,890,000	24,890,000	+ 130,000
Guaranty and indemnity program account (indefinite).....	507,095,000	504,122,000	504,122,000	504,122,000	504,122,000	-2,973,000
Negative subsidy for guaranteed loans.....		-185,500,000	-185,500,000	-185,500,000	-185,500,000	-185,500,000
Administrative expenses.....	65,226,000	78,085,000	65,226,000	65,226,000	65,226,000	
Loan guaranty program account (indefinite).....	43,839,000	22,950,000	22,950,000	22,950,000	22,950,000	-20,889,000
Administrative expenses.....	59,371,000	52,138,000	52,138,000	52,138,000	52,138,000	-7,233,000
(By transfer).....			(6,000,000)	(6,000,000)	(6,000,000)	(+ 6,000,000)
Direct loan program account (indefinite).....	25,000	28,000	28,000	28,000	28,000	+ 3,000
(Limitation on direct loans).....	(1,000,000)	(300,000)	(300,000)	(300,000)	(300,000)	(- 700,000)
Administrative expenses.....	1,020,000	459,000	459,000	459,000	459,000	-561,000
(Loan level).....	(97,000)	(99,000)	(99,000)	(99,000)	(99,000)	(+ 2,000)
Education loan fund program account.....	1,061	1,093	1,093	1,093	1,093	- 32
(Limitation on direct loans).....	(4,034)	(4,120)	(4,000)	(4,000)	(4,000)	(- 34)
Administrative expenses.....	195,000	203,000	195,000	195,000	195,000	
Vocational rehabilitation loans program account.....	54,000	56,000	54,000	54,000	54,000	
(Limitation on direct loans).....	(1,964,000)	(2,022,000)	(1,964,000)	(1,964,000)	(1,964,000)	
Administrative expenses.....	787,000	377,000	377,000	377,000	377,000	-410,000
Native American Veteran Housing Loan Program Account.....	218,000	455,000	205,000	205,000	205,000	-113,000
Total, Veterans Benefits Administration.....	19,816,183,061	20,175,125,093	20,162,006,000	20,162,006,000	20,162,006,000	+ 545,842,939
<b>Veterans Health Administration</b>						
Medical care.....	16,214,684,000	16,961,487,000	16,564,000,000	16,564,000,000	16,564,000,000	+ 349,316,000
(Transfer out).....			(-4,500,000)	(-4,500,000)	(-4,500,000)	(- 4,500,000)
Total.....	16,214,684,000	16,961,487,000	16,564,000,000	16,564,000,000	16,564,000,000	+ 349,316,000
Medical and prosthetic research.....	251,743,000	257,000,000	257,000,000	257,000,000	257,000,000	+ 5,257,000
Health professional scholarship program.....	10,386,000	10,386,000				-10,386,000
Medical administration and miscellaneous operating expenses	69,789,000	72,262,000	63,802,000	63,802,000	63,802,000	-5,987,000
(By transfer).....			(4,500,000)	(4,500,000)	(4,500,000)	(+ 4,500,000)
Grants to the Republic of the Philippines.....	500,000					-500,000
Transitional housing loan program:						
Loan program account (by transfer).....	(7,000)	(7,000)	(7,000)	(7,000)	(7,000)	
Administrative expenses (by transfer).....	(54,000)	(56,000)	(54,000)	(54,000)	(54,000)	
(Limitation on direct loans).....	(70,000)	(70,000)	(70,000)	(70,000)	(70,000)	
General post fund (transfer out).....	(-61,000)	(-63,000)	(-61,000)	(-61,000)	(-61,000)	
Total, Veterans Health Administration.....	16,547,102,000	17,301,135,000	16,884,602,000	16,884,602,000	16,884,602,000	+ 337,500,000
<b>Departmental Administration</b>						
General operating expenses.....	890,193,000	915,643,000	848,143,000	848,143,000	848,143,000	-42,050,000
Offsetting receipts.....			(32,000,000)	(32,000,000)	(32,000,000)	(+ 32,000,000)
(Transfer out).....			(-6,000,000)	(-6,000,000)	(-6,000,000)	(- 6,000,000)
Total, Program Level.....	(890,193,000)	(915,643,000)	(874,143,000)	(874,143,000)	(874,143,000)	(- 16,050,000)
National Cemetery System.....	72,604,000	75,306,000	72,604,000	72,604,000	72,604,000	
Office of Inspector General.....	31,815,000	33,900,000	30,900,000	30,900,000	30,900,000	-915,000
Construction, major projects.....	354,294,000	513,755,000	136,156,000	136,156,000	136,156,000	-218,139,000
(Transfer out).....			(-7,000,000)	(-7,000,000)	(-7,000,000)	(- 7,000,000)
Construction, minor projects.....	152,934,000	229,145,000	190,000,000	190,000,000	190,000,000	+ 37,966,000
Parking revolving fund.....	16,300,000					-16,300,000
(By transfer).....			(7,000,000)	(7,000,000)	(7,000,000)	(+ 7,000,000)
Grants for construction of state extended care facilities.....	47,397,000	43,740,000	47,397,000	47,397,000	47,397,000	
Grants for the construction of state veterans cemeteries.....	5,378,000	1,000,000	1,000,000	1,000,000	1,000,000	-4,378,000
Total, Departmental Administration.....	1,570,915,000	1,812,091,000	1,326,199,000	1,326,199,000	1,326,199,000	-244,716,000
Total, title I, Department of Veterans Affairs.....	37,734,190,061	39,288,351,093	38,372,807,000	38,372,807,000	38,372,807,000	+ 638,626,939
(By transfer).....	(61,000)	(63,000)	(17,561,000)	(17,561,000)	(17,561,000)	(+ 17,500,000)
(Limitation on direct loans).....	(3,135,034)	(2,495,120)	(2,437,000)	(2,437,000)	(2,437,000)	(- 698,034)
Consisting of:						
Mandatory.....	(19,489,311,000)	(20,043,351,000)	(20,043,351,000)	(20,043,351,000)	(20,043,351,000)	(+ 554,040,000)
Discretionary.....	(18,244,869,061)	(19,245,000,093)	(18,329,456,000)	(18,329,456,000)	(18,329,456,000)	(+ 84,589,939)

**H.R. 3019 - DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT,  
AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1996**

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
<b>TITLE II</b>						
<b>DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT</b>						
<b>Selected Housing Programs</b>						
Housing certificates for families and individuals performance funds.....		6,509,955,000				
Public and Indian housing capital performance funds.....		4,884,000,000				
Annual contributions for assisted housing.....	11,083,000,000		10,155,795,000	10,086,795,000	9,816,795,000	-1,264,205,000
Prepayment authority.....			4,000,000	4,000,000	4,000,000	+4,000,000
Transfer from UDAG.....	(100,000,000)					(-100,000,000)
Severely distressed public housing.....	500,000,000		280,000,000	380,000,000	480,000,000	-20,000,000
Assistance for the renewal of expiring section 8 subsidy contracts.....	2,536,000,000					-2,536,000,000
Flexible subsidy fund.....	50,000,000					-50,000,000
Housing opportunities for persons with AIDS.....		186,000,000				
Congregate services.....	25,000,000					-25,000,000
Rental housing assistance:						
Rescission of budget authority, indefinite.....	-38,000,000	-35,119,000	-35,119,000	-35,119,000	-35,119,000	+2,881,000
(Limitation on annual contract authority, indefinite).....	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	
Rescission of prepayment recaptures.....	-66,000,000	-163,000,000	-163,000,000	-163,000,000	-163,000,000	-97,000,000
Homeownership assistance.....	6,875,000					-6,875,000
Rescission of budget authority, indefinite.....	-184,000,000					+184,000,000
Public and Indian housing operation performance funds.....		3,220,000,000				
Payments for operation of low-income housing projects.....	2,900,000,000		2,800,000,000	2,800,000,000	2,800,000,000	-100,000,000
Drug elimination grants for low-income housing.....	290,000,000		290,000,000	290,000,000	290,000,000	
Affordable housing performance funds.....		3,339,000,000				
HOME investment partnerships program.....	1,400,000,000		1,400,000,000	1,400,000,000	1,400,000,000	
Homeownership and opportunity for people everywhere grants (HOPE grants).....	50,000,000					-50,000,000
National homeownership trust demonstration program.....	50,000,000					-50,000,000
Youthbuild program.....	50,000,000					-50,000,000
Housing counseling assistance.....	50,000,000					-50,000,000
Indian housing loan guarantee fund program account.....	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	
(Limitation on guarantee loans).....	(22,388,000)	(36,900,000)	(36,900,000)	(36,900,000)	(36,900,000)	(+14,512,000)
Violent crime reduction program.....		3,000,000				
<b>Total, Selected housing programs (net).....</b>	<b>18,705,875,000</b>	<b>17,946,836,000</b>	<b>14,734,676,000</b>	<b>14,765,676,000</b>	<b>14,597,676,000</b>	<b>-4,108,199,000</b>
<b>Homeless Assistance</b>						
Homeless assistance fund.....		1,120,000,000				
Homeless assistance grants.....	1,120,000,000		823,000,000	823,000,000	823,000,000	-297,000,000
<b>Community Planning and Development</b>						
Community opportunity fund.....		4,850,000,000				
Community opportunity performance program account.....		21,000,000				
Administrative expenses.....		900,000				
Community development grants.....	4,800,000,000		4,600,000,000	4,600,000,000	4,600,000,000	-200,000,000
Section 108 loan guarantees:						
(Limitation on guaranteed loans).....	(2,054,000,000)		(1,500,000,000)	(1,500,000,000)	(1,500,000,000)	(-554,000,000)
Credit subsidy.....			31,750,000	31,750,000	31,750,000	+31,750,000
Administrative expenses.....			675,000	675,000	675,000	
Policy Development and Research						
Research and technology.....	42,000,000	42,000,000	34,000,000	34,000,000	34,000,000	-8,000,000
Fair Housing and Equal Opportunity						
Fair housing activities.....	33,375,000	45,000,000	30,000,000	30,000,000	30,000,000	-3,375,000
<b>Management and Administration</b>						
Salaries and expenses.....	451,219,000	479,479,000	420,000,000	420,000,000	420,000,000	-31,219,000
(By transfer, limitation on FHA corporate funds).....	(495,355,000)	(527,782,000)	(532,782,000)	(532,782,000)	(532,782,000)	(+37,427,000)
(By transfer, GAMA).....	(8,624,000)	(9,101,000)	(9,101,000)	(9,101,000)	(9,101,000)	(+277,000)
(By transfer, Community Planning & Development).....		(900,000)	(875,000)	(675,000)	(675,000)	(+200,000)
<b>Total, Salaries and expenses.....</b>	<b>(955,388,000)</b>	<b>(1,017,262,000)</b>	<b>(962,558,000)</b>	<b>(962,558,000)</b>	<b>(962,558,000)</b>	<b>(+7,180,000)</b>
Office of Inspector General.....	36,427,000	36,968,000	36,567,000	36,567,000	36,567,000	+140,000
(By transfer, limitation on FHA corporate funds).....	(10,961,000)	(11,283,000)	(11,283,000)	(11,283,000)	(11,283,000)	(+322,000)
<b>Total, Office of Inspector General.....</b>	<b>(47,388,000)</b>	<b>(48,251,000)</b>	<b>(47,850,000)</b>	<b>(47,850,000)</b>	<b>(47,850,000)</b>	<b>(+462,000)</b>
Office of federal housing enterprise oversight.....	15,451,000	14,895,000	14,895,000	14,895,000	14,895,000	-556,000
Offsetting receipts.....	-15,451,000	-14,895,000	-14,895,000	-14,895,000	-14,895,000	+556,000

**H.R. 3019 - DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT,  
AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1996**

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
<b>Federal Housing Administration</b>						
FHA - Mutual mortgage insurance program account:						
(Limitation on guaranteed loans).....	(100,000,000,000)	(110,000,000,000)	(110,000,000,000)	(110,000,000,000)	(110,000,000,000)	(+10,000,000,000)
(Limitation on direct loans).....	(180,000,000)	(200,000,000)	(200,000,000)	(200,000,000)	(200,000,000)	(+20,000,000)
Administrative expenses.....	308,846,000	341,595,000	341,595,000	341,595,000	341,595,000	+32,749,000
Offsetting receipts.....	-308,846,000	-341,595,000	-341,595,000	-341,595,000	-341,595,000	-32,749,000
FHA - General and special risk program account:						
(Limitation on guaranteed loans).....	(20,885,072,000)	(17,400,000,000)	(17,400,000,000)	(17,400,000,000)	(17,400,000,000)	(-3,485,072,000)
(Limitation on direct loans).....	(220,000,000)	(120,000,000)	(120,000,000)	(120,000,000)	(120,000,000)	(-100,000,000)
Administrative expenses.....	197,470,000	197,470,000	202,470,000	202,470,000	202,470,000	+5,000,000
Program costs.....	188,395,000	188,395,000	85,000,000	85,000,000	85,000,000	-103,395,000
Subsidy - multifamily.....	-134,096,000	-37,996,000	-37,996,000	-37,996,000	-37,996,000	+96,100,000
Subsidy - single family.....	-81,873,000	-27,044,000	-27,044,000	-27,044,000	-27,044,000	+54,829,000
Subsidy - Title I.....	-24,460,000	-23,777,000	-23,777,000	-23,777,000	-23,777,000	+683,000
Total, Federal Housing Administration.....	145,636,000	207,048,000	198,653,000	198,653,000	198,653,000	+53,017,000
<b>Government National Mortgage Association</b>						
Guarantees of mortgage-backed securities loan guarantee program account:						
(Limitation on guaranteed loans).....	(142,000,000,000)	(110,000,000,000)	(110,000,000,000)	(110,000,000,000)	(110,000,000,000)	(-32,000,000,000)
Administrative expenses.....	8,824,000	9,101,000	9,101,000	9,101,000	9,101,000	+277,000
Offsetting receipts.....	-262,700,000	-508,300,000	-508,300,000	-508,300,000	-508,300,000	-245,600,000
<b>Administrative Provisions</b>						
Procurement savings.....	-3,538,000					+3,538,000
Debt forgiveness.....			10,000,000			+10,000,000
FHA mortgage insurance limits.....	-3,000,000					+3,000,000
GNMA REMICs.....	-180,000,000					+180,000,000
GNMA REMICs II.....	-30,600,000					+30,600,000
1-year extension of HECM's demonstration.....			-7,000,000	-7,000,000	-7,000,000	
FHA Assignment Reform.....			-1,066,000,000	-1,066,000,000	-1,066,000,000	
FHA Assignment Reform, 1996.....						-96,000,000
Non-judicial foreclosure.....	-10,000,000					+10,000,000
Multi-family property disposition - FHA fund.....			-40,000,000	-40,000,000	-40,000,000	
Sec. 213 - demonstration.....			30,000,000	15,000,000	30,000,000	
Sec. 224 - FHA fund.....			33,000,000	33,000,000	33,000,000	
Total, title II, Department of Housing and Urban Development (net).....	24,653,518,000	24,340,032,000	19,370,122,000	19,376,122,000	19,127,122,000	-5,526,396,000
Appropriations.....	(24,941,518,000)	(24,538,151,000)	(19,568,241,000)	(19,574,241,000)	(19,325,241,000)	(-5,616,277,000)
Rescissions.....	(288,000,000)	(-198,119,000)	(-198,119,000)	(-198,119,000)	(-198,119,000)	(+89,881,000)
(Limitation on annual contract authority, indefinite).....	(2,000,000)	(2,000,000)	(-2,000,000)	(-2,000,000)	(-2,000,000)	
(Limitation on guaranteed loans).....	(284,938,072,000)	(237,400,000,000)	(238,900,000,000)	(238,900,000,000)	(238,900,000,000)	(-26,538,072,000)
(Limitation on corporate funds).....	(515,140,000)	(549,066,000)	(553,841,000)	(553,841,000)	(553,841,000)	(+38,701,000)
Consisting of:						
Advance appropriation available.....	800,000,000					-800,000,000
Appropriations available from this bill.....	24,653,518,000	24,340,032,000	19,370,122,000	19,376,122,000	19,127,122,000	-5,526,396,000
Total, title II.....	25,453,518,000	24,340,032,000	19,370,122,000	19,376,122,000	19,127,122,000	-6,326,396,000
<b>TITLE III</b>						
<b>INDEPENDENT AGENCIES</b>						
<b>American Battle Monuments Commission</b>						
Salaries and expenses.....	20,265,000	20,265,000	20,265,000	20,265,000	20,265,000	
<b>Chemical Safety and Hazard Investigation Board</b>						
Salaries and expenses.....	500,000					-500,000
<b>Community Development Financial Institutions</b>						
Community development financial institutions fund program account.....	125,000,000	123,650,000		50,000,000	45,000,000	-80,000,000
Loan subsidy.....		20,000,000				
Office of Inspector General.....		350,000				
<b>Consumer Product Safety Commission</b>						
Salaries and expenses.....	42,509,000	44,000,000	40,000,000	40,000,000	40,000,000	-2,509,000
<b>Corporation for National and Community Service</b>						
National and community service programs operating expenses.....	575,000,000	817,476,000	15,000,000	400,500,000	400,500,000	-174,500,000
Office of Inspector General.....	2,000,000	2,000,000				
Total.....	577,000,000	819,476,000	15,000,000	402,500,000	402,500,000	-174,500,000

**H.R. 3019 - DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT,  
AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1996**

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
<b>Court of Veterans Appeals</b>						
Salaries and expenses .....	9,429,000	9,820,000	9,000,000	9,000,000	9,000,000	-429,000
<b>Department of Defense - Civil</b>						
<b>Cemeterial Expenses, Army</b>						
Salaries and expenses .....	12,017,000	14,134,000	11,946,000	11,946,000	11,946,000	-71,000
<b>Environmental Protection Agency</b>						
Research and development .....	350,000,000	428,661,000				-350,000,000
Science and Technology .....			525,000,000	525,000,000	525,000,000	+ 525,000,000
Abatement, control, and compliance .....	1,417,000,000	1,748,823,000				-1,417,000,000
(Limitation on administrative expenses) .....	(296,722,500)					(296,722,500)
Program and research operations .....	922,000,000	1,017,298,000				-922,000,000
Environmental Programs and Management .....			1,550,300,000	1,586,300,000	1,677,300,000	+1,677,300,000
Office of Inspector General .....	28,542,000	33,950,000	28,500,000	28,500,000	28,500,000	-42,000
Transfer from Hazardous Substance Superfund .....	15,384,000	14,078,000	11,000,000	11,000,000	11,000,000	-4,384,000
Transfer from Leaking Underground Storage Tanks .....	669,000	710,000	500,000	500,000	500,000	-169,000
<b>Subtotal, OIG .....</b>	<b>44,595,000</b>	<b>47,838,000</b>	<b>40,000,000</b>	<b>40,000,000</b>	<b>40,000,000</b>	<b>-4,595,000</b>
Buildings and facilities .....	43,670,000	112,820,000	60,000,000	60,000,000	110,000,000	+ 66,130,000
Hazardous substance superfund .....	1,435,000,000	1,507,937,000	1,163,400,000	1,163,400,000	1,213,400,000	-221,600,000
Legislative proposals - reforms .....		55,000,000				
Delay of obligation .....				100,000,000	100,000,000	+ 100,000,000
Transfer to OIG .....	(15,384,000)	(14,078,000)	(11,000,000)	(11,000,000)	(11,000,000)	+ 4,384,000
(Limitation on administrative expenses) .....	(308,000,000)					(308,000,000)
<b>Subtotal, Hazardous substance superfund .....</b>	<b>1,419,616,000</b>	<b>1,548,859,000</b>	<b>1,152,400,000</b>	<b>1,252,400,000</b>	<b>1,302,400,000</b>	<b>-117,216,000</b>
Leaking underground storage tank trust fund .....	70,000,000	77,273,000	45,827,000	45,827,000	45,827,000	-24,173,000
Transfer to OIG .....	(669,000)	(710,000)	(500,000)	(500,000)	(500,000)	+ 169,000
(Limitation on administrative expenses) .....	(8,150,000)		(7,000,000)	(7,000,000)	(7,000,000)	(-1,150,000)
<b>Subtotal, LUST .....</b>	<b>68,331,000</b>	<b>76,563,000</b>	<b>45,327,000</b>	<b>45,327,000</b>	<b>45,327,000</b>	<b>-24,004,000</b>
Oil spill response .....	20,000,000	23,047,000	15,000,000	15,000,000	15,000,000	-5,000,000
(Limitation on administrative expenses) .....	(8,420,000)		(8,000,000)	(8,000,000)	(8,000,000)	(-420,000)
Water infrastructure / State revolving fund .....	2,262,000,000	1,865,000,000				-2,262,000,000
Safe drinking water State revolving fund .....	700,000,000	500,000,000				-700,000,000
State and Tribal Assistance Grants .....			2,323,000,000	2,423,000,000	2,813,000,000	+2,813,000,000
Environmental services - user fees .....		7,500,000				
Procurement savings .....	-7,525,000					+ 7,525,000
<b>Total, EPA .....</b>	<b>7,240,887,000</b>	<b>7,359,409,000</b>	<b>5,711,027,000</b>	<b>5,951,027,000</b>	<b>6,528,027,000</b>	<b>-712,660,000</b>
<b>Executive Office of the President</b>						
Office of Science and Technology Policy .....	4,981,000	4,981,000	4,981,000	4,981,000	4,981,000	
Council on Environmental Quality and Office of Environmental Quality .....	997,000	2,188,000	1,500,000	2,180,000	2,150,000	+ 1,153,000
<b>Total .....</b>	<b>5,978,000</b>	<b>7,169,000</b>	<b>6,481,000</b>	<b>7,161,000</b>	<b>7,131,000</b>	<b>+ 1,153,000</b>
<b>Federal Emergency Management Agency</b>						
Disaster relief .....	320,000,000	320,000,000	222,000,000	222,000,000	222,000,000	-98,000,000
Disaster assistance direct loan program account:						
State share loan .....	2,418,000	2,155,000	2,155,000	2,155,000	2,155,000	-263,000
(Limitation on direct loans) .....	(175,000,000)	(25,000,000)	(25,000,000)	(25,000,000)	(25,000,000)	(-150,000,000)
Administrative expenses .....	95,000	95,000	95,000	95,000	95,000	
Salaries and expenses .....	162,000,000	172,331,000	168,900,000	168,900,000	168,900,000	+ 6,900,000
Office of the Inspector General .....	4,400,000	4,673,000	4,673,000	4,673,000	4,673,000	-273,000
Emergency management planning and assistance .....	215,960,000	210,122,000	203,044,000	203,044,000	203,044,000	-12,916,000
Emergency food and shelter program .....	130,000,000	130,000,000	100,000,000	100,000,000	100,000,000	-30,000,000
Administrative provision REP savings .....	-11,525,000	-12,257,000	-12,257,000	-12,257,000	-12,257,000	-732,000
Procurement savings .....	-1,441,000					+ 1,441,000
Equipment sales (sec. 515) .....		-30,000,000	-10,000,000	-10,000,000	-10,000,000	-10,000,000
National Flood Insurance:						
Salaries and expenses .....		(20,562,000)	(20,562,000)	(20,562,000)	(20,562,000)	(+ 20,562,000)
Flood mitigation .....		(70,464,000)	(70,464,000)	(70,464,000)	(70,464,000)	(+ 70,464,000)
Premium increase .....		21,000,000				
<b>Total, Federal Emergency Management Agency .....</b>	<b>821,907,000</b>	<b>776,119,000</b>	<b>678,610,000</b>	<b>678,610,000</b>	<b>678,610,000</b>	<b>-143,287,000</b>
<b>General Services Administration</b>						
Consumer Information Center .....	2,004,000	2,061,000	2,061,000	2,061,000	2,061,000	+ 57,000
(Limitation on administrative expenses) .....	(2,454,000)	(2,502,000)	(2,602,000)	(2,602,000)	(2,602,000)	(+ 148,000)



**H.R. 3019 - DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT,  
AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1996**

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
<b>Department of Health and Human Services</b>						
Office of Consumer Affairs .....	2,166,000	1,811,000			1,800,000	-366,000
<b>National Aeronautics and Space Administration</b>						
Human space flight .....	5,514,897,000	5,509,800,000	5,456,600,000	5,456,600,000	5,456,600,000	-58,297,000
Science, aeronautics and technology .....	5,901,200,000	6,006,800,000	5,845,900,000	5,845,900,000	5,928,900,000	+27,700,000
Rescission .....	-10,000,000					+10,000,000
National aeronautics facilities .....	400,000,000					-400,000,000
Mission support .....	2,554,587,000	2,726,200,000	2,502,200,000	2,502,200,000	2,502,200,000	-52,387,000
Office of Inspector General .....	16,000,000	17,300,000	16,000,000	16,000,000	16,000,000	
Administrative provision: Transfer authority .....			(50,000,000)		(50,000,000)	(+50,000,000)
<b>Total, NASA (net) .....</b>	<b>14,376,684,000</b>	<b>14,260,000,000</b>	<b>13,820,700,000</b>	<b>13,820,700,000</b>	<b>13,903,700,000</b>	<b>-472,984,000</b>
<b>National Credit Union Administration</b>						
Central liquidity facility: (Limitation on direct loans) .....	(600,000,000)	(600,000,000)	(600,000,000)	(600,000,000)	(600,000,000)	
(Limitation on administrative expenses, corporate funds) .....	(901,000)	(960,000)	(560,000)	(560,000)	(560,000)	(-341,000)
<b>National Science Foundation</b>						
Research and related activities .....	2,280,000,000	2,454,000,000	2,274,000,000	2,274,000,000	2,314,000,000	+34,000,000
Rescission .....	-35,000,000					+35,000,000
Major research equipment .....	126,000,000	70,000,000	70,000,000	70,000,000	70,000,000	-56,000,000
Academic research infrastructure .....	250,000,000	100,000,000	100,000,000	100,000,000	100,000,000	-150,000,000
Education and human resources .....	605,974,000	599,000,000	599,000,000	599,000,000	599,000,000	-6,974,000
Salaries and expenses .....	123,968,000	127,310,000	127,310,000	127,310,000	127,310,000	+3,344,000
Office of Inspector General .....	4,380,000	4,490,000	4,490,000	4,490,000	4,490,000	+110,000
National Science Foundation headquarters relocation .....	5,200,000	5,200,000	5,200,000	5,200,000	5,200,000	
<b>Total, NSF (net) .....</b>	<b>3,360,520,000</b>	<b>3,360,000,000</b>	<b>3,180,000,000</b>	<b>3,180,000,000</b>	<b>3,220,000,000</b>	<b>-140,520,000</b>
<b>Neighborhood Reinvestment Corporation</b>						
Payment to the Neighborhood Reinvestment Corporation .....	38,667,000	55,000,000	38,667,000	38,667,000	38,667,000	
<b>Selective Service System</b>						
Salaries and expenses .....	22,930,000	23,304,000	22,930,000	22,930,000	22,930,000	
<b>Total, title III, independent agencies (net) .....</b>	<b>26,058,463,000</b>	<b>26,896,568,000</b>	<b>23,556,687,000</b>	<b>24,234,867,000</b>	<b>24,931,637,000</b>	<b>+1,726,826,000</b>
Appropriations .....	(26,110,988,000)	(26,896,568,000)	(23,556,687,000)	(24,234,867,000)	(24,931,637,000)	(+1,779,351,000)
Rescissions .....	(-40,000,000)					+40,000,000
(Limitation on administrative expenses) .....	(623,748,500)	(2,502,000)	(17,602,000)	(17,602,000)	(17,602,000)	(-606,144,500)
(Limitation on direct loans) .....	(775,000,000)	(716,026,000)	(716,026,000)	(716,026,000)	(716,026,000)	(-58,974,000)
(Limitation on corporate funds) .....	(901,000)	(560,000)	(560,000)	(560,000)	(560,000)	(-341,000)
<b>TITLE IV</b>						
<b>CORPORATIONS</b>						
<b>Federal Deposit Insurance Corporation:</b>						
FSLIC Resolution Fund .....	827,000,000					-827,000,000
FDIC affordable housing program .....	15,000,000	15,000,000				-15,000,000
<b>Total .....</b>	<b>842,000,000</b>	<b>15,000,000</b>				<b>842,000,000</b>
Resolution Trust Corporation: Office of Inspector General .....	32,000,000	11,400,000	11,400,000	11,400,000	11,400,000	-20,600,000
<b>Total, title IV, Corporations .....</b>	<b>874,000,000</b>	<b>26,400,000</b>	<b>11,400,000</b>	<b>11,400,000</b>	<b>11,400,000</b>	<b>-862,600,000</b>
<b>Grand total (net) .....</b>	<b>89,920,161,061</b>	<b>90,551,351,093</b>	<b>81,311,016,000</b>	<b>81,995,196,000</b>	<b>82,442,966,000</b>	<b>-7,477,195,061</b>
Appropriations .....	(90,260,686,061)	(90,749,470,093)	(81,509,135,000)	(82,193,315,000)	(82,841,085,000)	(+7,919,601,061)
Rescissions .....	(-333,000,000)	(-198,119,000)	(-198,119,000)	(-198,119,000)	(-198,119,000)	(+134,881,000)
(By transfer) .....	(100,061,000)	(63,000)	(17,561,000)	(17,561,000)	(17,561,000)	(+82,500,000)
(Limitation on administrative expenses) .....	(623,748,500)	(2,502,000)	(17,602,000)	(17,602,000)	(17,602,000)	(-606,144,500)
(Limitation on annual contract authority, indefinite) .....	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	
(Limitation on direct loans) .....	(1,200,523,034)	(1,075,421,120)	(1,075,363,000)	(1,075,363,000)	(1,075,363,000)	(+125,160,034)
(Limitation on guaranteed loans) .....	(264,939,072,000)	(237,400,000,000)	(238,900,000,000)	(238,900,000,000)	(238,900,000,000)	(+26,039,072,000)
(Limitation on corporate funds) .....	(616,041,000)	(549,628,000)	(554,401,000)	(554,401,000)	(554,401,000)	(+36,360,000)

**H.R. 3019 - DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT,  
AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1996**

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
CONGRESSIONAL BUDGET RECAP						
Total appropriations in this bill (net) .....	89,920,161,061	90,551,251,093	81,211,016,000	81,995,196,000	82,442,966,000	-7,477,185,061
Scorekeeping adjustments .....	-7,967,944,000		22,000,000	3,000,000	2,000,000	+7,969,944,000
Total mandatory and discretionary .....	81,932,217,061	90,551,251,093	81,333,016,000	81,998,196,000	82,444,966,000	+512,748,939
Mandatory .....	20,316,311,000	20,043,351,000	20,043,351,000	20,043,351,000	20,043,351,000	-272,960,000
Discretionary:						
Crime trust fund .....		3,000,000				
General purposes:						
Defense (Function 050):						
Federal Emergency Management Agency:						
Salaries and expenses .....	62,411,000	44,006,000	43,674,000	43,874,000	43,874,000	-18,537,000
Emergency management planning and assistance .....	137,147,000	24,025,000	24,025,000	24,025,000	24,025,000	-113,122,000
Selective Service System .....	22,930,000	23,304,000	22,930,000	22,930,000	22,930,000	
National Science Foundation:						
Research and related activities .....		62,600,000	62,600,000	62,600,000	62,600,000	+62,600,000
Total, Defense .....	222,485,000	153,935,000	153,429,000	153,429,000	153,429,000	-69,059,000
Nondefense discretionary .....	61,393,416,061	70,351,065,093	61,136,236,000	61,801,416,000	62,248,186,000	+854,768,939
Total, General purposes .....	61,615,906,061	70,505,000,093	61,289,665,000	61,954,845,000	62,401,615,000	+785,708,939
Total, Discretionary .....	61,615,906,061	70,508,000,093	61,289,665,000	61,954,845,000	62,401,615,000	+785,708,939

**FY 1996 EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS BILL,  
(H.R. 3019, TITLES II & III)**

Doc No.	Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
<b>TITLE II - SUPPLEMENTAL APPROPRIATIONS</b>						
<b>CHAPTER I</b>						
<b>DEPARTMENT OF AGRICULTURE</b>						
<b>Natural Resources Conservation Service</b>						
104-183	Watershed and flood prevention operations (emergency appropriations).....	60,000,000	73,200,000		-73,200,000	
104-183	Contingent emergency appropriations.....	40,000,000		107,514,000	+ 80,514,000	-27,000,000
<b>Consolidated Farm Service Agency</b>						
104-183	Emergency conservation program (emergency appropriations).....	30,000,000	24,800,000	30,000,000	+ 5,200,000	
<b>Commodity Credit Corporation</b>						
	Emergency livestock feed assistance program (emergency appropriations) (1997 carryover).....		7,500,000 (2,500,000)		-7,500,000 (-2,500,000)	
<b>Rural Housing and Community Development Service</b>						
<b>Rural Housing Insurance Fund Program Account:</b>						
104-183	Low-income housing (sec. 502):					
	Loan subsidy (emergency appropriations).....	5,000,000	5,000,000	5,000,000		
104-183	Loan authorization.....	(34,965,000)	(34,965,000)	(34,965,000)		
104-183	Housing repair (sec. 504):					
	Loan subsidy (emergency appropriations).....	1,500,000	1,500,000	1,500,000		
104-183	Loan authorization.....	(3,995,000)	(3,995,000)	(3,995,000)		
	<b>Total, Rural Housing Insurance Fund.....</b>	<b>6,500,000</b>	<b>6,500,000</b>	<b>6,500,000</b>		
104-183	Very low-income housing repair grants (emergency appropriations).....	1,100,000	1,100,000	1,100,000		
	<b>Total, Rural Housing and Community Development Service.....</b>	<b>7,600,000</b>	<b>7,600,000</b>	<b>7,600,000</b>		
<b>Rural Utilities Service</b>						
104-183	Emergency community water assistance program (emergency appropriations).....	5,000,000	5,000,000		-5,000,000	
104-183	Rural utilities assistance program (emergency appropriations).....	6,000,000	6,000,000	11,000,000	+ 5,000,000	
	<b>Total, Rural Utilities Service.....</b>	<b>11,000,000</b>	<b>11,000,000</b>	<b>11,000,000</b>		
	<b>Total, Chapter I:</b>					
	New budget (obligational) authority.....	148,600,000	126,600,000	156,114,000	+ 25,514,000	-27,000,000
	Emergency appropriations.....	(108,600,000)	(126,600,000)	(48,600,000)	(78,000,000)	
	Contingent emergency appropriations.....	(40,000,000)		(107,514,000)	(+ 80,514,000)	(-27,000,000)
<b>CHAPTER II</b>						
<b>DEPARTMENT OF JUSTICE</b>						
<b>Federal Bureau of Investigation</b>						
	Salaries and expenses (contingent emergency appropriations).....			7,000,000		-7,000,000
<b>DEPARTMENT OF COMMERCE</b>						
<b>Economic Development Administration</b>						
	Economic development assistance programs (contingent emergency appropriations).....			27,500,000	+ 18,000,000	-9,500,000
<b>National Oceanic and Atmospheric Administration</b>						
104-183	Construction (emergency appropriations).....	10,000,000		10,000,000	+ 7,500,000	-2,500,000
	<b>Total, Department of Commerce.....</b>	<b>10,000,000</b>		<b>37,500,000</b>	<b>+ 25,500,000</b>	<b>-12,000,000</b>
<b>DEPARTMENT OF STATE</b>						
<b>Administration of Foreign Affairs</b>						
	Diplomatic and consular program (emergency appropriations).....		2,000,000		-2,000,000	
<b>RELATED AGENCIES</b>						
<b>United States Information Agency</b>						
	Salaries and expenses (emergency appropriations).....		1,000,000		-1,000,000	

**FY 1996 EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS BILL,  
(H.R. 3019, TITLES II & III) -- continued**

Doc No.	Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
Small Business Administration						
104-183	Disaster Loans Program Account: Direct loans subsidy (emergency appropriations).....	66,700,000	72,300,000	69,700,000	71,000,000	-1,300,000
104-183	Administrative expenses (emergency appropriations).....	30,300,000	27,700,000	30,300,000	29,000,000	+1,300,000
	Total, Small Business Administration.....	100,000,000	100,000,000	100,000,000	100,000,000	
Total, Chapter II:						
	New budget (obligational) authority.....	110,000,000	103,000,000	144,500,000	125,500,000	+22,500,000
	Emergency appropriations.....	(110,000,000)	(103,000,000)	(110,000,000)	(107,500,000)	(+4,500,000)
	Contingent emergency appropriations.....			(34,500,000)	(18,000,000)	(+18,500,000)
CHAPTER III						
DEPARTMENT OF DEFENSE - CIVIL						
Corps of Engineers - Civil						
104-183	Operation and maintenance, general (emergency appropriations).....	30,000,000	30,000,000	30,000,000	30,000,000	
104-183	Flood control and coastal emergencies (emergency appropriations).....	135,000,000	135,000,000	135,000,000	135,000,000	
	Total, Department of Defense - Civil.....	165,000,000	165,000,000	165,000,000	165,000,000	
DEPARTMENT OF THE INTERIOR						
Bureau of Reclamation						
104-183	Construction program (emergency appropriations).....	9,000,000	9,000,000	9,000,000	9,000,000	
104-183	Contingent emergency appropriations.....	9,000,000		9,000,000		-9,000,000
	Total, Department of the Interior.....	18,000,000	9,000,000	18,000,000	9,000,000	-9,000,000
DEPARTMENT OF ENERGY						
Atomic Energy Defense Activities						
	Other Defense Activities.....			15,000,000	+15,000,000	+15,000,000
Power Marketing Administrations						
104-183	Operation and maintenance, Alaska Power Administration (by transfer).....	(5,500,000)	(5,500,000)		(5,500,000)	(+5,500,000)
	Total, Chapter III:					
	New budget (obligational) authority.....	183,000,000	174,000,000	183,000,000	189,000,000	+15,000,000
	Appropriations.....				(15,000,000)	(+15,000,000)
	Emergency appropriations.....	(174,000,000)	(174,000,000)	(174,000,000)	(174,000,000)	
	Contingent emergency appropriations.....	(9,000,000)		(9,000,000)		(9,000,000)
	(By transfer).....	(5,500,000)	(5,500,000)		(5,500,000)	(+5,500,000)
CHAPTER IV						
BILATERAL ECONOMIC ASSISTANCE						
FUNDS APPROPRIATED TO THE PRESIDENT						
104-197	Unanticipated needs for Defense of Israel against terrorism (emergency appropriations).....	50,000,000		50,000,000	50,000,000	+50,000,000
MILITARY ASSISTANCE						
FUNDS APPROPRIATED TO THE PRESIDENT						
104-178	Foreign Military Assistance Program: Grants.....	140,000,000	70,000,000	70,000,000	70,000,000	
	Total, Chapter IV:					
	New budget (obligational) authority.....	190,000,000	70,000,000	120,000,000	120,000,000	+50,000,000
	Appropriations.....	(140,000,000)	(70,000,000)	(70,000,000)	(70,000,000)	
	Emergency appropriations.....	(50,000,000)		(50,000,000)	(50,000,000)	(+50,000,000)
CHAPTER V						
DEPARTMENT OF THE INTERIOR						
Bureau of Land Management						
104-183	Construction and access (emergency appropriations) Contingent emergency appropriations.....	4,242,000	4,242,000	4,242,000	4,242,000	+758,000
104-183	Oregon and California grant lands (emergency appropriations).....	19,548,000	19,548,000	19,548,000	19,548,000	
	Contingent emergency appropriations.....			15,452,000	15,452,000	+15,452,000
	Total, Bureau of Land Management.....	23,790,000	23,790,000	40,000,000	40,000,000	+16,210,000
United States Fish and Wildlife Service						
	Resource management (contingent emergency appropriations).....			1,600,000	1,600,000	+1,600,000

**FY 1996 EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS BILL,  
(H.R. 3019, TITLES II & III) — continued**

Doc No.		Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
104-183	Construction (emergency appropriations).....	20,505,000	20,505,000	20,505,000	20,505,000		
	Contingent emergency appropriations.....			16,795,000	16,795,000	+16,795,000	
	Total, United States Fish and Wildlife Service.....	20,505,000	20,505,000	38,900,000	38,900,000	+18,395,000	
	National Park Service						
104-183	Construction (emergency appropriations).....	33,801,000	33,801,000	33,801,000	33,801,000		
	Contingent emergency appropriations.....			13,399,000	13,399,000	+13,399,000	
	Total, National Park Service.....	33,801,000	33,801,000	47,000,000	47,000,000	+13,399,000	
	United States Geological Survey						
104-183	Surveys, investigations, and research (emergency appropriations).....	1,176,000	1,176,000	1,176,000	1,176,000		
	Contingent emergency appropriations.....			824,000	824,000	+824,000	
	Total, United States Geological Survey.....	1,176,000	1,176,000	2,000,000	2,000,000	+824,000	
	Bureau of Indian Affairs						
104-183	Operation of Indian programs (emergency appropriations).....	500,000	500,000	500,000	500,000		
104-183	Construction (emergency appropriations).....	9,428,000	9,428,000	9,428,000	9,428,000		
	Contingent emergency appropriations.....			7,072,000	7,072,000	+7,072,000	
	Total, Bureau of Indian Affairs.....	9,928,000	9,928,000	17,000,000	17,000,000	+7,072,000	
	Territorial and International Affairs						
104-183	Assistance to territories (emergency appropriations)...	2,000,000	2,000,000	2,000,000	2,000,000		
	Contingent emergency appropriations.....			11,000,000	11,000,000	+11,000,000	
	Total, Department of the Interior.....	91,000,000	91,000,000	157,900,000	157,900,000	+66,900,000	
	DEPARTMENT OF AGRICULTURE						
	Forest Service						
104-183	National forest system (emergency appropriations)....	20,000,000	20,000,000	20,000,000	20,000,000		
	Contingent emergency appropriations.....			6,800,000	6,800,000	+6,800,000	
104-183	Construction (emergency appropriations).....	40,000,000	40,000,000	40,000,000	40,000,000		
104-183	Contingent emergency appropriations.....	20,000,000	20,000,000	20,800,000	20,800,000	+800,000	
	Total, Forest Service.....	80,000,000	80,000,000	87,400,000	87,400,000	+7,400,000	
	Total, Chapter V:						
	New budget (obligational) authority.....	171,000,000	171,000,000	245,300,000	245,300,000	+74,300,000	
	Emergency appropriations.....	(151,000,000)	(151,000,000)	(151,000,000)	(151,000,000)		
	Contingent emergency appropriations.....	(20,000,000)	(20,000,000)	(94,300,000)	(94,300,000)	(+74,300,000)	
	CHAPTER VI						
	DEPARTMENT OF DEFENSE						
104-179	North Atlantic Treaty Organization Infrastructure (emergency appropriations).....	37,500,000	37,500,000	37,500,000	37,500,000		
	CHAPTER VII						
	DEPARTMENT OF DEFENSE						
	Military Personnel						
	Military Personnel, Army.....			244,400,000			-244,400,000
104-179	Emergency appropriations.....	244,400,000	262,200,000		257,200,000	-5,000,000	+257,200,000
	Military Personnel, Navy.....			11,700,000			-11,700,000
104-179	Emergency appropriations.....	11,700,000	11,800,000		11,700,000	-100,000	+11,700,000
	Military Personnel, Marine Corps.....			2,600,000			-2,600,000
104-179	Emergency appropriations.....	2,600,000	2,700,000		2,600,000	-100,000	+2,600,000
	Military Personnel, Air Force.....			27,300,000			-27,300,000
104-179	Emergency appropriations.....	27,300,000	33,700,000		27,300,000	-6,400,000	+27,300,000
	Total, Military Personnel.....	286,000,000	310,400,000	266,000,000	298,800,000	-11,600,000	+12,800,000
	Operation and Maintenance						
	Operation and Maintenance, Army.....			195,000,000			-195,000,000
104-179	Emergency appropriations.....	48,200,000	235,200,000		241,500,000	+6,300,000	+241,500,000
	Operation and Maintenance, Marine Corps.....			900,000			-900,000
104-179	Emergency appropriations.....	900,000	900,000		900,000		+900,000
	Operation and Maintenance, Air Force.....			190,000,000			-190,000,000
104-179	Emergency appropriations.....	141,500,000	130,200,000		44,900,000	+44,900,000	+145,100,000
	(By transfer).....			(44,900,000)			(-44,900,000)

**FY 1996 EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS BILL,  
(H.R. 3019, TITLES II & III) — continued**

Doc No.	Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	<b>Operation and Maintenance, Defense-Wide</b>					
104-179	Emergency appropriations.....	79,800,000	79,800,000	79,800,000		-79,800,000
	(By transfer).....		(15,000,000)	(15,000,000)	(+ 15,000,000)	+ 79,800,000
	<b>Total, Operation and Maintenance</b> .....	<b>270,500,000</b>	<b>446,100,000</b>	<b>465,700,000</b>	<b>+ 94,000,000</b>	<b>+ 74,400,000</b>
	<b>Procurement</b>					
	<b>Other Procurement, Air Force</b> .....		26,000,000			-26,000,000
104-179	Emergency appropriations.....	26,000,000	26,000,000	26,000,000		+ 26,000,000
	<b>Research, Development, Test and Evaluation</b>					
	<b>Research, Development, Test and Evaluation, Army</b> (By transfer).....			(8,000,000)	(+ 8,000,000)	(+ 8,000,000)
	<b>Research, Development, Test and Evaluation, Navy...</b> (By transfer).....			10,000,000	+ 10,000,000	+ 10,000,000
	<b>Research, Development, Test and Evaluation, Defense-Wide</b> .....		50,000,000	50,000,000	+ 50,000,000	
	<b>Total, Research, Development, Test and Evaluation</b> .....		<b>50,000,000</b>	<b>60,000,000</b>	<b>+ 60,000,000</b>	<b>+ 10,000,000</b>
	<b>General Provisions</b>					
104-179	Additional transfer authority (sec. 8001).....	(1,000,000,000)	(1,000,000,000)	(300,000,000)	(-300,000,000)	(+ 400,000,000)
	<b>Total, Chapter VII:</b>					
	New budget (obligational) authority.....	582,500,000	782,500,000	827,700,000	+ 142,400,000	+ 97,200,000
	Appropriations.....			(827,700,000)	(104,900,000)	(-722,800,000)
	Emergency appropriations.....	(582,500,000)	(782,500,000)	(820,000,000)	(+ 37,500,000)	(+ 820,000,000)
	(Transfer authority).....	(1,000,000,000)	(1,000,000,000)	(300,000,000)	(-300,000,000)	(+ 400,000,000)
	(By transfer).....			(69,900,000)	(+ 23,000,000)	(-36,900,000)
	<b>CHAPTER VIII</b>					
	<b>DEPARTMENT OF TRANSPORTATION</b>					
	<b>Federal Highway Administration</b>					
104-183	Federal-aid highways (Highway Trust Fund) (emergency appropriations).....	267,000,000	267,000,000	267,000,000		
	Contingent emergency appropriations.....			33,000,000	+ 33,000,000	
	<b>Federal Railroad Administration</b>					
	Local rail freight assistance (contingent emergency appropriations).....			10,000,000		-10,000,000
	<b>Federal Transit Administration</b>					
104-183	Mass transit capital fund (Highway Trust Fund) (liquidation of contract authorization).....	(375,000,000)	(375,000,000)	(375,000,000)		
	<b>Total, Department of Transportation</b> .....	<b>267,000,000</b>	<b>267,000,000</b>	<b>310,000,000</b>	<b>+ 33,000,000</b>	<b>-10,000,000</b>
	<b>RELATED AGENCY</b>					
	<b>Panama Canal Commission</b>					
104-183	Panama Canal revolving fund (administrative expenses).....	(2,000,000)	(2,000,000)	(2,000,000)		(+ 2,000,000)
	<b>Total, Chapter VIII:</b>					
	New budget (obligational) authority.....	267,000,000	267,000,000	310,000,000	+ 33,000,000	-10,000,000
	Emergency appropriations.....	(267,000,000)	(267,000,000)	(267,000,000)		
	Contingent emergency appropriations.....			(43,000,000)	(+ 33,000,000)	(-10,000,000)
	<b>CHAPTER IX</b>					
	<b>DEPARTMENT OF THE TREASURY</b>					
	<b>Departmental Offices</b>					
	Salaries and expenses (contingent emergency appropriations).....			3,000,000		-3,000,000
	<b>FUNDS APPROPRIATED TO THE PRESIDENT</b>					
104-183	Office of National Drug Control Policy.....	3,400,000		3,900,000	+ 3,400,000	-500,000
	<b>Total, Chapter IX:</b>					
	New budget (obligational) authority.....	3,400,000		5,900,000	+ 3,400,000	-3,500,000
	Appropriations.....	(3,400,000)		(3,900,000)	(-3,400,000)	(-500,000)
	Contingent emergency appropriations.....			(3,000,000)		(-3,000,000)

**FY 1996 EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS BILL,  
(H.R. 3019, TITLES II & III) — continued**

Doc No.	Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
<b>CHAPTER X</b>						
<b>DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT</b>						
<b>Community Planning and Development</b>						
Community development grants (contingent emergency appropriations).....			100,000,000	50,000,000	+50,000,000	-50,000,000
<b>OTHER INDEPENDENT AGENCIES</b>						
<b>Federal Emergency Management Agency</b>						
Disaster relief (contingent emergency appropriations).....		150,000,000	150,000,000		-150,000,000	-150,000,000
<b>Disaster Assistance Direct Loan Program Account:</b>						
104-183 Loan subsidy (emergency appropriations).....	103,729,000					
104-183 (Loan authorization).....	(118,874,000)					
(By transfer) (emergency appropriations).....		(103,729,000)	(103,729,000)	(104,000,000)	(+271,000)	(+271,000)
<b>Total, Chapter X:</b>						
New budget (obligational) authority.....	103,729,000	150,000,000	250,000,000	50,000,000	-100,000,000	-200,000,000
Emergency appropriations.....	(103,729,000)					
Contingent emergency appropriations.....		(150,000,000)	(250,000,000)	(50,000,000)	(+100,000,000)	(+200,000,000)
<b>Total, Title II:</b>						
New budget (obligational) authority.....	1,796,729,000	1,881,600,000	2,281,014,000	2,124,714,000	+243,114,000	-156,300,000
Appropriations.....	(143,400,000)	(70,000,000)	(901,800,000)	(193,300,000)	(+123,300,000)	(708,300,000)
Emergency appropriations.....	(1,554,329,000)	(1,841,600,000)	(836,100,000)	(1,858,800,000)	(+14,000,000)	(+817,500,000)
Contingent emergency appropriations.....	(68,000,000)	(170,000,000)	(541,314,000)	(275,814,000)	(+105,814,000)	(+265,500,000)
(Transfer authority).....	(1,000,000,000)	(1,000,000,000)	(300,000,000)	(700,000,000)	(+300,000,000)	(+400,000,000)
(By transfer) (emergency appropriations).....		(103,729,000)	(103,729,000)	(104,000,000)	(+271,000)	(+271,000)
(By transfer).....	(5,500,000)	(5,500,000)	(56,900,000)	(28,500,000)	(+23,000,000)	(+31,400,000)
<b>TITLE III - RESCISSIONS AND OFFSETS</b>						
<b>CHAPTER I</b>						
<b>DEPARTMENT OF ENERGY</b>						
U.S. Enrichment Corporation privatization.....						
Bonneville Power Administration refinancing.....						
<b>CHAPTER II</b>						
<b>EXPORT-IMPORT BANK OF THE UNITED STATES</b>						
Limitation of program activity (rescission).....		-41,000,000	-25,000,000	-42,000,000	-1,000,000	-17,000,000
<b>CHAPTER III</b>						
<b>DEPARTMENT OF ENERGY</b>						
Strategic Petroleum Reserve (offset).....			-227,000,000	-227,000,000	-227,000,000	
<b>CHAPTER IV</b>						
<b>DEPARTMENT OF HEALTH AND HUMAN SERVICES</b>						
<b>Administration for Children and Families</b>						
Job opportunities and basic skills (JOBS) (offset).....			-10,000,000	-10,000,000	-10,000,000	
<b>DEPARTMENT OF EDUCATION</b>						
Student financial assistance (rescission).....				-53,446,000	-53,446,000	-53,446,000
<b>Total, Chapter IV:</b>						
New budget (obligational) authority.....			-10,000,000	-63,446,000	-63,446,000	-53,446,000
Rescissions.....				(-53,446,000)	(-53,446,000)	(-53,446,000)
Offsets.....				(+10,000,000)	(+10,000,000)	
<b>CHAPTER V</b>						
<b>DEPARTMENT OF DEFENSE</b>						
Military construction, Army (rescission).....				-6,385,000	-6,385,000	-6,385,000
Military construction, Navy (rescission).....				-6,385,000	-6,385,000	-6,385,000
Military construction, Air Force (rescission).....				-6,385,000	-6,385,000	-6,385,000
Military construction, Defense-Wide (rescission).....				-18,345,000	-18,345,000	-18,345,000
<b>Total, Chapter V:</b>						
Rescissions.....				-37,500,000	-37,500,000	-37,500,000
<b>CHAPTER VI</b>						
<b>DEPARTMENT OF DEFENSE</b>						
<b>Procurement</b>						
104-162 Missile Procurement, Air Force (rescission).....	-310,000,000	-310,000,000	-310,000,000	-310,000,000		
104-162 Other Procurement, Air Force (rescission).....	-265,000,000	-265,000,000	-265,000,000	-265,000,000		
Total, Procurement.....	-575,000,000	-575,000,000	-575,000,000	-575,000,000		

**FY 1996 EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS BILL,  
(H.R. 3019, TITLES II & III) continued**

Doc No.	Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
	<b>Research, Development, Test and Evaluation</b>					
104-180	Research, Development, Test and Evaluation, Army (rescission) .....	-19,500,000	-9,750,000	-7,000,000	-19,500,000	-9,750,000
104-180	Research, Development, Test and Evaluation, Navy (rescission) .....	-35,000,000	-17,500,000	-12,500,000	-45,000,000	-27,500,000
104-180	Research, Development, Test and Evaluation, Air Force (rescission) .....	-289,900,000	-267,450,000	-281,000,000	-314,800,000	-47,350,000
104-180	Research, Development, Test and Evaluation, Defense-Wide (rescission) .....	-40,800,000	-20,300,000	-14,500,000	-40,600,000	-20,300,000
	<b>Total, Research, Development, Test and Evaluation .....</b>	<b>-385,000,000</b>	<b>-315,000,000</b>	<b>-295,000,000</b>	<b>-419,900,000</b>	<b>-104,900,000</b>
	<b>Total, Chapter VI: Rescissions .....</b>	<b>-960,000,000</b>	<b>-890,000,000</b>	<b>-870,000,000</b>	<b>-994,900,000</b>	<b>-124,900,000</b>
	<b>CHAPTER VII</b>					
	<b>DEPARTMENT OF TRANSPORTATION</b>					
	<b>Federal Aviation Administration</b>					
	Grants-in-aid for airports (Airport and Airway Trust Fund): Rescission of contract authority .....			-664,000,000	-664,000,000	
	<b>Federal Highway Administration</b>					
	Highway-related safety grants (highway Trust Fund) (rescission of contract authority) .....			9,000,000	-9,000,000	-9,000,000
	Motor carrier safety grants (highway Trust Fund) (rescission of contract authority) .....			-33,000,000	-33,000,000	-33,000,000
	<b>Total, Federal Highway Administration .....</b>			<b>-42,000,000</b>	<b>-42,000,000</b>	<b>-42,000,000</b>
	<b>National Highway Traffic Safety Administration</b>					
	Highway traffic safety grants (Highway Trust Fund) (rescission of contract authority) .....			-56,000,000	-56,000,000	-56,000,000
	<b>Total, Chapter VII: Rescissions of contract authority .....</b>			<b>-664,000,000</b>	<b>-762,000,000</b>	<b>-98,000,000</b>
	<b>CHAPTER VIII</b>					
	<b>INDEPENDENT AGENCIES</b>					
	<b>General Services Administration</b>					
	Federal Buildings Fund:					
	Limitations on availability of revenue:					
104-182	Installment acquisition payments (rescission) .....		-3,500,000	-3,400,000	-3,400,000	+100,000
	Repairs and alterations (rescission) .....	-3,500,000		-200,000		+200,000
	<b>Total, Federal Buildings Fund: Rescissions .....</b>	<b>-3,500,000</b>		<b>-3,700,000</b>	<b>-3,400,000</b>	<b>+300,000</b>
	United States Tax Court (rescission) .....			-200,000		+200,000
	<b>Total, Chapter VIII: Rescissions .....</b>	<b>-3,500,000</b>		<b>-3,900,000</b>	<b>-3,400,000</b>	<b>+500,000</b>
	<b>CHAPTER IX</b>					
	<b>INDEPENDENT AGENCY</b>					
	Federal Emergency Management Agency					
	Disaster relief (emergency rescission) .....			-1,000,000,000	-1,000,000,000	-1,000,000,000
	<b>CHAPTER X</b>					
	<b>DEPARTMENT OF TREASURY</b>					
	Financial Management Service					
	Debt collection initiatives (offset) .....			-440,000,000	-540,000,000	-100,000,000
	<b>GENERAL PROVISIONS</b>					
	Federal administrative and personal services expenses (rescission) .....			-500,000,000	-500,000,000	-500,000,000
	<b>Total, Chapter X: New budget (obligational) authority .....</b>		<b>-440,000,000</b>	<b>-1,040,000,000</b>	<b>+1,040,000,000</b>	<b>-600,000,000</b>
	Rescissions .....			(-500,000,000)	(-500,000,000)	(-500,000,000)
	Offsets .....		(-440,000,000)	(-540,000,000)	(-540,000,000)	(-100,000,000)



**FY 1996 EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS BILL,  
(H.R. 3019, TITLES II & III) — continued**

Doc No.	Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
Total, title III:						
New budget (obligational) authority .....	-963,500,000	-931,000,000	-2,236,900,000	-4,170,246,000	-3,239,246,000	-1,930,346,000
Rescissions .....	(-963,500,000)	(-931,000,000)	(-696,900,000)	(-1,631,246,000)	(-700,246,000)	(-732,346,000)
Offsets .....			(-677,000,000)	(-777,000,000)	(-777,000,000)	(-100,000,000)
Rescissions of contract authority .....			(-664,000,000)	(-762,000,000)	(-762,000,000)	(-98,000,000)
Emergency rescission .....				(-1,000,000,000)	(-1,000,000,000)	(-1,000,000,000)
TITLE IV - CONTINGENT SUPPLEMENTAL						
CHAPTER I						
DEPARTMENT OF COMMERCE						
National Institute of Standards and Technology						
Industrial technology services .....		100,000,000	235,000,000		-100,000,000	-235,000,000
Technology Administration						
Salaries and expenses .....			2,500,000			-2,500,000
Total, Department of Commerce .....		100,000,000	237,500,000		-100,000,000	-237,500,000
DEPARTMENT OF STATE						
Administration of Foreign Affairs						
Security and maintenance of United States Missions ..			6,500,000			-8,500,000
International Organizations and Conferences						
Contributions to international organizations, current year assessment .....		158,000,000	223,000,000		-158,000,000	-223,000,000
Contributions for international peacekeeping activities, current year assessment .....		200,000,000	215,000,000		-200,000,000	-215,000,000
Total, Department of State .....		358,000,000	446,500,000		-358,000,000	-446,500,000
RELATED AGENCY						
Legal Services Corporation						
Payment to the Legal Services Corporation .....			9,000,000			-9,000,000
Total, Chapter I:						
New budget (obligational) authority .....		458,000,000	683,000,000		-458,000,000	-683,000,000
CHAPTER II						
DEPARTMENT OF THE INTERIOR						
Bureau of Land Management						
Payment in lieu of taxes .....			12,500,000			-12,500,000
National Park Service						
Operation of the national park system .....			35,000,000			-35,000,000
Bureau of Indian Affairs						
Operation of Indian programs .....			35,000,000			-35,000,000
Total, Department of the Interior .....			82,500,000			-82,500,000
DEPARTMENT OF ENERGY						
Energy conservation .....			35,000,000			-35,000,000
Total, Chapter II:						
New budget (obligational) authority .....			117,500,000			-117,500,000
CHAPTER III						
DEPARTMENT OF LABOR						
Employment and Training Administration						
Training and employment services .....		111,800,000			-111,800,000	
Regular appropriations .....			1,213,300,000			-1,213,300,000
State unemployment insurance and employment service operations .....		33,000,000	18,000,000		-33,000,000	-18,000,000
Regular appropriations .....						
Total, Employment and Training Administration .....		144,800,000	1,231,300,000		-144,800,000	-1,231,300,000
Departmental Management						
Salaries and expenses .....			12,000,000			-12,000,000
Total, Department of Labor .....		144,800,000	1,243,300,000		-144,800,000	-1,243,300,000

**FY 1996 EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS BILL,  
(H.R. 3019, TITLES II & III) — continued**

Doc No.	Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
<b>DEPARTMENT OF HEALTH AND HUMAN SERVICES</b>						
Substance Abuse and Mental Health Services Administration						
Substance abuse and mental health services		100,000,000	134,107,000		-100,000,000	-134,107,000
Administration for Children and Families						
Children and families services program (regular appropriations)			136,700,000			-136,700,000
Health Resources and Services Administration						
Program operations			55,256,000			-55,256,000
<b>Total, Department of Health and Human Services</b>		<b>100,000,000</b>	<b>326,063,000</b>		<b>-100,000,000</b>	<b>-326,063,000</b>
<b>DEPARTMENT OF EDUCATION</b>						
Education reform	389,500,000				-389,500,000	
Advance appropriations, FY 1997			151,000,000			-151,000,000
Compensation education for the disadvantaged	961,000,000				-961,000,000	
Advance appropriations, FY 1997			814,489,000			-814,489,000
Vocational and adult education			82,750,000			-82,750,000
Advance appropriations, FY 1997						
School improvement programs	12,000,000				-12,000,000	
Advance appropriations, FY 1997			208,000,000			-208,000,000
Student financial assistance (regular appropriations)			90,000,000			-90,000,000
Education research, statistics, and improvement	23,000,000				-23,000,000	
Advance appropriations, FY 1997			10,000,000			-10,000,000
<b>Total, Department of Education</b>	<b>1,385,500,000</b>	<b>1,356,239,000</b>			<b>-1,385,500,000</b>	<b>-1,356,239,000</b>
<b>CHAPTER III:</b>						
New budget (obligational) authority	1,630,300,000	2,925,602,000			-1,630,300,000	-2,925,602,000
Appropriations		(1,458,000,000)				(-1,458,000,000)
Advance appropriations, FY 1997		(1,266,239,000)				(-1,266,239,000)
Contingent appropriations	(1,630,300,000)	(201,363,000)			(-1,630,300,000)	(-201,363,000)
<b>CHAPTER IV</b>						
<b>DEPARTMENT OF VETERANS AFFAIRS</b>						
Departmental Administration						
Construction, major projects		70,100,000	16,000,000		-70,100,000	-16,000,000
<b>DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT</b>						
Selected Housing Programs						
Annual contributions for assisted housing	150,000,000	200,000,000			-150,000,000	-200,000,000
Severely distressed public housing	220,000,000	120,000,000			-220,000,000	-120,000,000
Payments for operation of low-income housing	50,000,000	50,000,000			-50,000,000	-50,000,000
<b>Total, Selected Housing Programs</b>	<b>420,000,000</b>	<b>370,000,000</b>			<b>-420,000,000</b>	<b>-370,000,000</b>
Management and Administration						
Departmental restructuring fund			20,000,000			-20,000,000
<b>Total, Department of Housing and Urban Development</b>	<b>420,000,000</b>	<b>390,000,000</b>			<b>-420,000,000</b>	<b>-390,000,000</b>
<b>INDEPENDENT AGENCIES</b>						
Community Development Financial Institutions						
Community development financial institutions fund program account		25,000,000			-25,000,000	
Corporation for National and Community Service						
National and community service programs operating expenses	383,500,000				-383,500,000	
Office of Inspector General	2,000,000				-2,000,000	
<b>Total, Corporation for National and Community Service</b>	<b>385,500,000</b>				<b>-385,500,000</b>	
Environmental Protection Agency						
Environmental programs and management	150,000,000				-150,000,000	
Buildings and facilities	50,000,000				-50,000,000	
Hazardous substance superfund	100,000,000				-100,000,000	
State and tribal assistance grants	3,500,000				-3,500,000	
<b>Total, Environmental Protection Agency</b>	<b>303,500,000</b>				<b>-303,500,000</b>	

**FY 1996 EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS BILL,  
(H.R. 3019, TITLES II & III) — continued**

Doc No.	Supplemental Request	House	Senate	Conference	Conference compared with House	Conference compared with Senate
Executive Office of the President						
Council on Environmental Quality and Office of Environmental Quality		500,000			-500,000	
National Aeronautics and Space Administration						
Space, aeronautics and technology			83,000,000			-83,000,000
National Science Foundation						
Research and related activities		40,000,000	40,000,000		-40,000,000	-40,000,000
Total, Chapter IV:						
New budget (obligational) authority		1,244,600,000	529,000,000		-1,244,600,000	-529,000,000
Total, title IV:						
New budget (obligational) authority		3,332,900,000	4,265,102,000		-3,332,900,000	-4,265,102,000
Appropriations			(1,458,000,000)			(1,458,000,000)
Advance appropriations, FY 1997			(1,266,239,000)			(1,266,239,000)
Contingent appropriations		(3,332,900,000)	(1,540,863,000)		(-3,332,900,000)	(-1,540,863,000)
TITLE V - ENVIRONMENTAL INITIATIVES						
INDEPENDENT AGENCIES						
Environmental Protection Agency						
Environmental programs and management			87,000,000			-87,000,000
Buildings and facilities			50,000,000			-50,000,000
State and tribal assistance grants			300,000,000			-300,000,000
Hazardous substance superfund			50,000,000			-50,000,000
Total, title V:						
New budget (obligational) authority			487,000,000			-487,000,000
Grand total, all titles:						
New budget (obligational) authority	833,229,000	4,283,500,000	4,793,216,000	-2,045,532,000	-6,329,032,000	-6,838,748,000
Appropriations	(143,400,000)	(70,000,000)	(2,846,600,000)	(193,300,000)	(+ 123,300,000)	(-2,653,300,000)
Rescissions	(-963,500,000)	(-931,000,000)	(-696,900,000)	(-1,631,246,000)	(-700,246,000)	(-732,346,000)
Rescissions of contract authority			(-664,000,000)	(-762,000,000)	(-762,000,000)	(-66,000,000)
Offsets			(-677,000,000)	(-777,000,000)	(-777,000,000)	(-100,000,000)
Contingent appropriations		(3,332,900,000)	(1,540,863,000)		(-3,332,900,000)	(-1,540,863,000)
Emergency appropriations	(1,584,329,000)	(1,641,600,000)	(838,100,000)	(1,695,600,000)	(+ 14,000,000)	(+ 817,500,000)
Contingent emergency appropriations	(89,000,000)	(170,000,000)	(541,314,000)	(275,814,000)	(+ 105,814,000)	(-265,500,000)
Emergency rescission				(-1,000,000,000)	(-1,000,000,000)	(-1,000,000,000)
Advance appropriations, FY 1997			(1,266,239,000)			(-1,266,239,000)
(Transfer authority)	(1,000,000,000)	(1,000,000,000)	(300,000,000)	(700,000,000)	(-300,000,000)	(+ 400,000,000)
(By transfer) (emergency appropriations)		(103,729,000)	(103,729,000)	(104,000,000)	(+ 271,000)	(+ 271,000)
(By transfer)	(6,500,000)	(6,500,000)	(66,800,000)	(26,500,000)	(+ 23,000,000)	(-31,400,000)

Mr. LIVINGSTON. Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself 8 minutes.

Mr. Speaker, this really is a very good day for this institution, and in my view it marks the end of a very dark period.

The House does not run the Government. We do not execute the laws or administer the programs of this Government, but we do play a central role in funding the activities and responsibilities of the Federal Government. That in fact is the core of the responsibility given to this institution by the Constitution.

I would say over the past year this House has failed to meet that responsibility to a degree that has no precedence in the history of the Republic. For more than 7 months, this House held most of the departments and agencies of this Government in a state of suspended animation. On two separate occasions it sent Federal workers—who by and large wanted to show up and do their jobs—it sent them home for what amounted to 27 days of forced vacations paid for at taxpayers expense.

This Congress drove numerous hard-working small businessmen to near the brink of bankruptcy because they had the misfortune of having significant contracts with the Federal Government that were screwed up by the mismanagement of this place. As a result, there have been significantly increased costs to the taxpayer for purchasing services from those vendors in the future.

This House, during that process, also denied services to millions of Americans who wanted passports or who wanted to visit national parks or who had become eligible for veterans' benefits that they were not permitted to receive.

Today, finally, we can say that that nonsense for the remainder of this year is over, and for that I am very grateful. There will be a lot of people who want to claim credit for that, but in my view the people who really deserve the credit are the American people, because they turned in to what were some very complex measures.

They began to realize that the budget that this Congress was insisting on was going to eliminate 40,000 title I teachers in school districts all across the country, teachers who would provide services to nearly a million kids, to help those kids learn to read and help those kids learn to deal with mathematics. The American people also came to realize that this Congress was trying to turn its back on the commitment that had been made to increase the number of cops on the beat by 100,000. They also found out that this Congress was trying to gut many enforcement rules to clean up the environment, and that these bills were being loaded up with special riders to help commercial interests to denigrate our environmental heritage for personal gain.

And they sent a loud and clear message to this body that that is not what

we were sent here to do. So today finally we have before us a funding proposal for the Federal Government that is not a great proposal. There are many flaws in it, many defects, but I would point out nonetheless it is a reasonable proposal, in contrast to the appropriation bills which worked their way through here previously. It is one that in major respects is consistent with the direction in which the American people want to go.

It does save money. It saves the same \$23 billion that were saved originally when the bills went through this House, but it saves that money in a far more fair way, in a far more balanced way. It protects the basic important activities that the public wants, the activities for which we in the minority have fought.

It is time to pass this plan and move on. Surely everyone by now should recognize this fact. What this bill does today, in contrast to the prior appropriation bills, is to demonstrate that we not only know the value of a tax dollar but we also understand the value of human beings.

This chart demonstrates that since January 1993 we have steadily been reducing the deficit. When President Bush left office, the deficit for that year was projected to be \$327 billion. That dropped to \$255 billion; to \$202 billion for the following fiscal year; to \$162 billion last year, and the process continues under the passage of this bill.

Two years ago, the last year that I chaired this committee, we cut 408 programs. We eliminated 40 programs. That was the first year in post-war history when discretionary outlays of the Federal Government actually went down.

That process is continuing, and we applaud that. But in the process, we have also been able to restore 92 percent of the money that was cut by this House originally for education. We have fully restored title I. We have fully restored Head Start. We have fully restored Safe and Drug-Free Schools. We have made healthy again the School-to-Work Program. We have increased the maximum Pell grant.

□ 1530

On the job training front, we have restored 90 percent of the cuts originally made by this House. In the area of worker protection, the 30-percent cut below 1995 which was originally provided for worker protections at the National Labor Relations Board has been reduced to a 3-percent cut. The cut of 15 percent for the enforcement of worker safety in OSHA has been cut to 2 percent. We have restored half of the reductions for the senior citizen job programs, like Green Thumb and Senior Aides. The Low Income Heating Assistance Program, which was eliminated by this House, has been restored to \$900 million, plus \$420 million in carry-over funds. Six of the seven environmental riders added by this Con-

gress are gone. Fourteen of the seventeen riders that were attached to Education and Labor provisions in the bill are now gone, and the other three have been modified to suit the objections of the President and the minority. So this is a decent product.

I want to express my appreciation to the chairman of the committee, the gentleman from Louisiana [Mr. LIVINGSTON], for having helped to finally achieve a bipartisan solution to this problem. He worked very hard and worked in a very bipartisan way, and I very much appreciate that.

I want to express my deep thanks to Senator BYRD and Senator HATFIELD. When you deal with those two gentlemen, as one member of my staff said, you know you are truly in the presence of people who are U.S. Senators and deserve to be thought of that way.

I would simply say in closing also that I hope that we will pass this legislation and move on with the passage of our appropriation bills for the next year in a way which will never again shut down the U.S. Government. That does not have to happen.

This legislation shows you can save money without ignoring the value of human beings, without ignoring the necessity to invest in human beings. It is a far less savage and far more civilized approach. I would urge support for the package.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Wisconsin [Mr. NEUMANN], a member of the Committee on Appropriations and the Committee on the Budget.

Mr. NEUMANN. Mr. Speaker, I would like to start by congratulating the chairman of the Committee on Appropriations and the Committee on the Budget for their great effort here. We have hit every target. A year ago the freshmen had some doubts as to whether we would get to all of these numbers. We have tracked them for over a year, and you have literally hit every target or are ahead of schedule. You deserve congratulations for that.

When we arrived here a year ago, 73 freshmen came in here, and what we found is this. We found a deficit line, this red line on the chart, that was at \$200 billion and growing every year indefinitely into the future.

We took action. We passed a rescission bill, took \$11 billion out. The appropriators went to work. The gentleman from Ohio [Mr. KASICH] gave them a number, and said \$23 billion has to go. You have to come in \$23 billion under the previous year, the first time in a generation this has been done. The appropriations did their job.

This is where we were by December, but we dared to dream. We dared to dream that we could restore the future of this Nation and get us on track. This green line is the track, the glidepath to a balanced budget. We dared to dream about balancing the budget to preserve our Nation for our children.

So we set a target for fiscal year 1996. That target was \$157 billion. What happened? The markets looked at this and saw the struggles we went through, and the markets reacted. Exactly as Alan Greenspan predicted they would, the interest rates stayed down. When the interest rates stayed down, it left this picture. It left the graph and went into real life. Because when the interest rates stayed down, our young people could afford to buy houses and cars, and when our young people can afford to buy houses and cars, the logical next thing that happens is somebody has to build those houses and build those cars, and that is jobs and job opportunities for our young people. Folks, this is exactly how America is supposed to work.

But that was not the end of the story. When the markets reacted in that way and the appropriators fulfilled their commitment to our Nation, not only did we hit this target, you see, they were afraid, it was an election year, and other Congresses have been here, and Gramm-Rudman-Hollings and Gramm-Rudman-Hollings II. But in this election year, this Congress not only did not fail, they hit their work, and they are actually \$13 billion under what the projected deficit had to be in order for us to be on that glidepath.

Mr. Speaker, this is a great day for the future of this great Nation of ours.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois [Mr. YATES], the ranking member of the Subcommittee on Interior.

(Mr. YATES asked and was given permission to revise and extend his remarks.)

Mr. YATES. Mr. Speaker, I thank the gentleman from Wisconsin for yielding me time.

Mr. Speaker, I was a conferee on this conference. I did not sign the conference agreement because I am very strongly opposed to the bill. It is true that in many respects after the negotiations that have taken place over these last few days the bill is better than it was before the negotiations. But in my opinion, the bill is so bad it is not susceptible to correction.

For example, it badly hurts the Indian people, their health, their education. It hurts the national parks by taking money from essential construction and moving it over to operations. It hurts the national forests by increasing the timber cut, by building timber roads in ancient forests and jeopardizing habitat, wetlands, and environment. It sounds the death knell for the Endowments for the Arts and the Humanities. And by its use of sufficiency language in various paragraphs of the bill, it deprives the public from participating in the decisions that it would want to make in connection with the environment.

There are many other deficiencies in the bill. Time does not permit going into them.

A new tool has been added for legislation. There is a compromise that is

based upon a phrase called the waiver. It is asserted that by exercising the waiver, the President can kill provisions that he finds unacceptable; for example, the provisions relating to the Tongass National Forest to which he had objected. This is a very strange provision. In effect, is it supposed to be a repealer of other provisions? Are the provisions supposed to stay in effect, even though they have been waived? To what extent is the waiver applicable? In whole or in part? Is it to be temporary or permanent? That is not clear.

I would hope, Mr. Speaker, that the President makes it clear, makes it very clear, that he will use the waiver immediately to clear up all questions, and that when he signs the bill, he will also have documents present which waive the provisions to which he objects and lets it be known that this is his purpose.

At any rate, the President will have at hand the documents. I hope he uses them.

There is much more one may say against the bill. I oppose it, Mr. Speaker, and I will not vote for it.

Mr. LIVINGSTON. Mr. Speaker, I am pleased to yield 3 minutes to the very distinguished gentleman from Illinois [Mr. PORTER], a gentleman who has worked very long and very hard on one of the toughest subcommittee bills in the appropriations, perhaps the toughest, chairman of the Subcommittee on Labor, Health and Human Services, and Education.

Mr. PORTER. Mr. Speaker, I thank the chairman for yielding me time.

Mr. Speaker, let me say that the chairman has done yeoman work on this bill. If a person could live one day in his shoes, they would understand how hard Members of this body work to carry out the responsibilities of their office. The chairman has done an absolutely marvelous job.

Under the Labor, Health and Human Services, and Education and Related Agencies portion of the bill, we began with spending for fiscal year 1995 of \$70 billion in discretionary funds. We cut \$28 billion in the rescission package last year and we cut an additional \$2.6 billion in this package, for a total overall reduction of about \$5.4 billion. This reduction represents an 8-percent reduction from the previous year.

That amount is less, Mr. Speaker, than the reduction in the original House passed version of H.R. 2127 which cut spending by 13 percent. This conference report, however, still represents one-quarter of all the savings in the nondefense discretionary accounts.

My section of the bill terminates 110 programs from the fiscal 1995 appropriation, not the 170 programs that the House passed version of H.R. 2127 terminated. Yet this conference report represents a substantial down payment on the elimination of wasteful, unnecessary, and high overhead programs. These services can be provided much

more effectively and efficiently in broader State grant programs.

The bill also provides increases in some programs because our job, Mr. Speaker, is to set priorities. The conference agreement provides increases for biomedical research, for public health, for the Job Corps, for school-to-work, for AIDS health services, for childhood immunizations, for Head Start, for breast and cervical cancer screening, for infectious and sexually transmitted diseases and for Social Security Administration costs.

Although the conference report cuts 8 percent overall, level funding was provided for family planning and AIDS prevention. All of the block grant programs including substance abuse, mental health, child care and community services, were level funded. For title I—education for the disadvantaged, impact aid programs, Safe and Drug-Free Schools, and special aid State grants the conference agreement provides level funding. With respect to student financial assistance, Mr. Speaker, we also level funded the TRIO and SEOG programs, as well as college work study. For Pell grants we provided the highest maximum grant award in the history of the program: to \$2,470.

Our job is not just making cuts though, Mr. Speaker. That is the message of this omnibus bill. Of course, our job is to control spending, but our job also is to examine every single program in government to see whether it can be done in the private sector or by State and local government and to set priorities.

What this process means, Mr. Speaker, is better services for people, while bringing Federal spending under control. I commend the chairman for doing such a marvelous job. We have made great progress.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. STOKES], the distinguished ranking member of the Subcommittee on VA, HUD and Independent Agencies.

Mr. STOKES. Mr. Speaker, I thank the distinguished ranking member of the full Committee on Appropriations for yielding time to me.

Mr. Speaker, I rise in support of the conference report. Make no mistake about it; this legislation is far from perfect. For the VA/HUD title alone, this report represents a reduction of nearly \$8 billion from the amounts provided in 1995 by the 103d Congress. Most of that reduction, or \$5.5 billion is in programs of the Department of Housing and Urban Development that help the poorest and neediest of our citizens.

A comparison of the VA/HUD amounts and provisions in this conference report with those in the original House-passed bill, however, does reveal vast improvements. For example:

This conference report contains \$1.6 billion more for the Environmental Protection Agency than the House bill, including \$300 million more for the Superfund to clean up hazardous and

toxic wastes in our communities, and \$1.2 billion more for wastewater and drinking water grants, money that will be used by local communities to build and improve their water purification; H.R. 3019 contains \$200 million more for HUD's program to replace severely distressed public housing with smaller, more viable developments; it adds an additional \$75 million to section 202 elderly and section 811 disabled housing programs; the report contains \$400 million for the President's successful, Americorps Program, rather than termination as recommended by the House; it contains funding at or near the levels wanted by the administration for community development financial institutions [CDFI], the council on environmental quality [CEQ], and the Office of Consumer Affairs.

Virtually all of the environmentally damaging limitations on EPA's funding have been deleted, including a provision which would have removed EPA's ability to review and veto development permits which would be injurious to our fragile wetlands; the provision transferring enforcement of our Nation's fair housing laws from HUD to the Department of Justice has also been deleted.

Further, because of the Democrats' steadfast commitment to protecting children, hard working families and seniors, the bill contains a number of restorations in critical Labor-HHS-ED appropriations subcommittee budget accounts. The bill restores \$625 million in funding for the summer jobs program. This means that over 500,000 low-income youth who want and need to work will have a job this summer. The summer jobs program had been proposed for elimination.

The restoration of \$1.2 billion in title I means that teaching assistance in basic reading and math will be restored to over 1 million disadvantaged children, who would have been denied the opportunity to learn under the earlier version of the Republican budget.

The restoration of \$900 million for low-income home energy assistance means that heating and cooling assistance will be restored to 6 million households. Without this restoration, these low-income families would have been forced to go without heat in the cold of winter, or cooling in summer's extreme heat.

The restoration of \$250 million to the Dislocated Workers Program means that assistance can be provided to workers who have been laid off through no fault of their own.

These changes and many others make this legislation palatable, and I urge my colleagues to support it. The beneficiaries of this act will be the American people. Their voices have been heard. Their concerns about unreasonable reductions in education, worker protection, and environmental protection programs have been addressed. This bill does not do everything we would have liked, but it is a vast improvement over the original

bill. Some critically important steps have been made in order for us to meet our obligations to improve the quality of life for the American people.

□ 1545

Mr. LIVINGSTON. Mr. Speaker, I yield 1 minute to the gentleman from Indiana [Mr. BURTON], a distinguished member of the Committee on International Relations.

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman for yielding me this time.

The President said that the era of big government is over when he addressed the House not long ago, and yet in many cases the President has not been true to his word. One example is the student loan program. Right now 40 percent of the student loan program is administered by the Federal Government, the other 60 by private lending institutions. Now the President has said he is going to veto this bill if 100 percent is not taken over by the Federal Government.

Mr. Speaker, what does that mean? It means the cost to the taxpayers by the year 2002 will be 1½ billion dollars' more, \$1 thousand 500 million more for student loans than it would be if we let the private sector handle it. And yet the President said he is against big government. He cannot be against big government and be for this program.

In addition, thousands of jobs in the private sector are going to be lost and put into the Department of Education to administer these student loan programs. If the President really believes in less government, he should believe in turning these loans, these student loans over to the private sector. The President's words ring hollow when he says the era of big government is over and then go for a program like this.

Mr. LIVINGSTON. Mr. Speaker, I yield 5½ minutes to the gentleman from Ohio [Mr. REGULA], the very distinguished chairman of the Subcommittee on Interior of the Committee on Appropriations.

Mr. REGULA. Mr. Speaker, I thank the gentleman for yielding me this time. Mr. Speaker, I yield to the gentleman from California [Mr. RIGGS] for purposes of a colloquy.

Mr. RIGGS. Mr. Speaker, I thank the chairman and I appreciate his yielding. I want to thank and salute the gentleman and the chairman of the full committee for their tremendous work on this bill, especially in his efforts in this bill and the conference report to prevent unnecessary regulation and unintended consequences under the Endangered Species Act. Of specific concern right now is the proposed designation by the U.S. Fish Wildlife Service of critical habitat for the marbled murrelet.

I understand that it is the intent of the conferees, in the event that the Fish and Wildlife Service is required by court order to finalize the regulation, the service is to consider fully all the comments submitted during the review

period, including the comments by private individuals and State agencies. Further, if the service cannot consider fully these comments, the service should notify the appropriate court and petition for an extension. Am I correct?

Mr. REGULA. The gentleman is correct.

Mr. RIGGS. Am I also correct, Mr. Chairman, that Congress intends, under this legislation, that the Fish and Wildlife Service protect the private property rights of parties affected by critical habitat designations by using Federal lands to the maximum extent possible, or by taking other actions to ameliorate the impacts on private property, such as memoranda of understanding with State agencies? Specifically, the California Resources Agency has filed comments on the proposed critical habitat designation asking for revisions to reflect a 1991 memorandum of understanding it has signed with the Fish and Wildlife Service.

Mr. REGULA. The gentleman is correct. If the critical habitat designation goes forward, the Congress expects the Fish and Wildlife Service to protect the rights of private property owners. The service should seek to ameliorate adverse impacts on private property by actions such as using Federal lands and by complying with agreements negotiated with the States, including provisions for the use of other public lands in the State to the maximum extent possible before private lands are used. That includes the 1991 memorandum of understanding with California.

Mr. RIGGS. Mr. Speaker, I thank the chairman for participating in this colloquy.

Mr. REGULA. Mr. Speaker, just to correct some impressions, the moratorium on OCS drilling and the moratorium on the issuance of mining patents is still part of this omnibus bill. There has been some thought that these were removed, but they are very much a part of the bill. So I want anyone that is concerned to be aware of that.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New York [Mrs. LOWEY].

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. LOWEY. Mr. Speaker, I want to congratulate the gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from Wisconsin [Mr. OBEY] for their hard work, perseverance, and endurance.

Mr. Speaker, I rise in grudging support of this budget deal.

This is not a great bill. It is certainly not the bill I would have written. But it is the best bill that Congress can pass this year.

We are at the end of a very long process that began over a year ago. From the very beginning it was clear that the Republican majority was determined to cut funding for vital education and environmental programs.

The bills that passed this house last year cut funds to our local schools by 16 percent, eliminated the Summer Jobs Program, and slashed the EPA by a third. Those bills would have reduced funding to New York City by Almost \$600 million—or 18 percent. And when Bill Clinton refused to accept these draconian cuts NEWT GINGRICH deliberately shut the Government down—not once, but twice—in order to get his way.

Thankfully, the President stood his ground and forced the Republicans to compromise. Cuts, confrontation and shut down have failed. The President remained firm and won.

Let us pass this bill.

Mr. LIVINGSTON. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Arizona [Mr. KOLBE] and, of course, Mr. GINGRICH did not shut down the Government, that was the President.

(Mr. KOLBE asked and was given permission to revise and extend his remarks.)

Mr. KOLBE. Mr. Speaker, I rise in support of the conference report to H.R. 3019. This bill brings to an end the fiscal year 1996 budget and appropriations cycle and in doing so cuts \$23 billion over last year's levels and stays within our budget caps. Although I supported greater cuts in some areas, I am pleased that Republicans stuck to their guns and insisted that the downpayment on the 7-year balanced budget be made.

I am especially pleased that the Mount Graham provision remained in the bill. The Kolbe amendment is quite simple and will not have any adverse impact on the environment. The provision reaffirms Ninth Circuit Court Judge Hall's and U.S. Attorney Janet Napolitano's contention that the alternative site chosen by the Forest Service for the Large Binocular Telescope is in compliance with the authorizing legislation passed by Congress in 1988. Now that this issue is behind us, I anxiously await the beginning of construction of the world's largest ground based telescope.

Nonetheless, I am frustrated by the inclusion of moneys for the Community Oriented Policing Services [COPS] Program—the administration's bald attempt to tell State and local governments what they need to fight violent crime. Additionally, I oppose the continued funding for Goals 2000 even though Opportunity to Learn Standards and the National Education Standards and Improvement Council were eliminated.

Even more frustrating is the continuation of the direct lending program that will transfer lending authority for college loans from the private sector to the bureaucratic Education Department.

We have learned important lessons about this administration throughout the course of negotiating this bill. First, it is the administration—not Congress—that doesn't understand the

art of compromise. I liken their negotiating skills to those of the losing team in backyard football—when up against a crushing offensive, they simply move the goalpost back a few yards. Congressional negotiators were often told an agreement had been reached and by the next morning, the resolved issues were back on the table—always with new items of disagreement. I know my friend Chairman REGULA had this happen to him numerous times.

The second lesson we have learned is that the administration talks about a balanced budget, but in reality they are unwilling to take the necessary steps to actually achieve one. As difficult as they were to negotiate with on discretionary programs, I am very concerned that as long as Congress has to deal with this administration, there is no hope of ever tackling the big budgetary issues that must be resolved in our mandatory programs.

But this conference report does take an important step toward balancing the budget by cutting discretionary spending.

I urge my colleagues to support the conference report.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

With respect to the comments just made about the President's program of cops on the beat, the President was very clear about this, and Mr. Panetta was very clear about this since the beginning of the negotiations. They wanted to make certain that when all of the dust settled we had sufficient funding to guarantee to local communities that we would be able to put 100,000 new cops on the street. That is exactly what he asked for from the beginning. He moved no goal posts, and that is exactly what he got in the end.

The President was steadfast on that issue, Mr. Panetta was insistent on it, just as they were on the other issues in the conference. We would not have a bill of this quality today without the insistence of the President and Mr. Panetta.

I certainly want to suggest that anybody who suggests that the White House changed what it wanted is dead wrong. They made clear they wanted 100,000 cops and that is what they got.

Mr. LIVINGSTON. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. WALSH], the distinguished chairman of the Subcommittee on the District of Columbia. He has done a great job with a very difficult subcommittee.

Mr. WALSH. Mr. Speaker, I thank my chairman for his kind words. The Balanced Budget downpayment Act II includes the modified text of the District of Columbia Appropriations Act for 1996.

Members will recall that the conference agreement was adopted by the House on January 31 but not voted on by the other body primarily because of their opposition to a low income scholarship program. I deeply regret because

of the other body's objections we had to delete that program. We were able to retain most of the other school reforms.

Mr. Speaker, with respect to the District's financial management, we have included, under section 152, language that clarifies the duties of the District's chief financial officer. That position was established under the legislation that created the financial board. The clarifying language places the directors of the financial management offices as well as all other District Government executive branch accounting, budget and financial management personnel under the CFO's authority. All these individuals will be appointed by, serve at the pleasure of, and at the direction and control of the CFO.

Lastly, Mr. Speaker, all the Federal funds have gone to the District, they have had those in the past, and I would urge strong support for this bill.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Speaker, there are several problems that remain with this conference agreement, some provisions that I do not support.

I rise, however, to speak about the good and positive parts—those parts that would not be in this agreement if Democrats had not fought for them.

Under the conference report, education funding will be \$2.8 billion more than in the House-passed bill.

Title I funding, Safe and Drug-Free Schools and the Summer Jobs Program will be restored to 1995 levels. We have those programs, because Democrats fought for them.

The COPS Program will get \$1.4 billion in funding, and we will have 100,000 new police officers on the street by the year 2000, because Democrats made the difference.

And, the Environmental Protection Agency is funded at \$1.6 billion above the House-passed amount, because Democrats did not back down.

This conference agreement is 6 months late, and that is unfortunate, but the restoration of funding is right on time.

This conference agreement does not provide for the modest increase in the minimum wage that we have called for, but we will not quit until we reach that goal.

Mr. Speaker, I am proud to be a Democrat who stands up for the average American.

I am especially proud of the role that Democrats played, as the loyal opposition—keeping the faith, remaining true and constant, ever steady in insisting that we preserve and protect those programs and policies designed to keep America's priorities in balance as we balance our budget.

This conference report, which provides funding for the remainder of this fiscal year for the nine cabinet level departments, agencies and programs whose fiscal year 1996 appropriations bill have not yet been enacted into law, recognizes and respect our seniors, our young and working families in America.

The conference report provides a total of \$382.6 billion—some \$4.6 billion more than the House-passed bill.

Under the conference report, education funding will be \$2.8 billion more than in the House-passed bill.

That additional funding will allow this Nation to concentrate more directly on preparing our children to compete in an increasingly competitive global market.

Title I funding, Safe and Drug-Free Schools and the Summer Jobs Program will be restored to 1995 levels.

That is good and positive.

LIHEAP, the Low-Income Home Energy Assistance Program, is funded by \$900 million in 1996 and \$420 million in 1997. Senior citizens will have comfortable homes because we did not waiver.

The COPS Program will get \$1.4 billion in funding, and we will have 100,000 new police officers on the street by the year 2000, because Democrats made the difference.

And, the Environmental Protection Agency is funded at \$1.6 billion above the House-passed amount.

In addition, all of the environmental riders, except one, have been dropped from the conference report or, at the very least, the President has been given waiver authority.

Thus, the air we breathe, the water we drink and the land upon which we live—God's most precious creations—have a better chance of being protected because we did not shrink from the budget battle.

Because many of the deepest cuts have been restored, it is my understanding that the President will sign this conference agreement.

Mr. Speaker, it is not easy to make noise while those who have the votes make policy. But, the genius of the first amendment allows those of us in the Minority to challenge, to question and to offer alternative thought.

We did that, and because we did that, America will be a better place.

This conference agreement is 6 months late, and that is unfortunate, but the restoration of funding is right on time.

I intend to vote for this conference agreement.

I am proud to be a Democrat, and I am proud to be an American.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida [Mr. YOUNG] the chairman of the Subcommittee on National Security.

Mr. YOUNG of Florida. Mr. Speaker, as a Member of the conference committee that presents this conference report today, and one who participated in a lot of the activities, but who observed, even more than that, the activities of the leadership of the full committee, I want to first compliment the gentleman from Louisiana, Chairman BOB LIVINGSTON, for the tremendous effort and the great amounts of time and the give and take that he had to work with, and the staff that worked with him during this whole process.

Mr. Speaker, I would also like to compliment the gentleman from Wisconsin [Mr. OBEY], the ranking Minority Member on the full committee. This is an honest compromise. It is a true compromise. Everybody is claiming victory. That is good. When everybody claims victory, it must be something pretty decent here.

I want to speak specifically to a very significant part of this conference report, and that is the provision of funding for the deployment of the American forces serving with such distinction in Bosnia.

In the beginning, we can all recall, there was a lot of difference of opinion as to whether or not we should send Americans to Bosnia, but that decision was made by the President and American troops went to Bosnia, and they have and they are continuing to conduct themselves in an extremely efficient and effective manner. In this bill is part of the funding to pay for that deployment, to pay for those troops being there.

So for those of us who really believe that we ought to support our troops no matter where they are, no matter what their mission is, this is the time to do it. Voting for this conference report is a vote to provide for the support and the funding for the American troops who have been sent to Bosnia on this mission.

Mr. LIVINGSTON. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. HORN].

(Mr. HORN asked and was given permission to revise and extend his remarks and to include extraneous material.)

□ 1600

Mr. HORN. Mr. Speaker, I rise in very strong support of the Omnibus Appropriations Act. Included in this measure is a bill I have worked on for more than a year now, the Debt Collection Improvement Act, which was introduced on August 4, 1995. This measure was drafted with the assistance and support of the administration, particularly the chief financial officers and the inspectors general.

As the bill proceeded through committee, it commanded widespread bipartisan support. The gentlewoman from New York [Mrs. MALONEY] and professional staff member Mark Guiton were also helpful. Among the majority staff of the Subcommittee on Government Management, Information, and Technology, professional staff member Mark Brasher and staff director Russell George were the key staff on this legislation. My thanks go to all of the leadership staff and those on the Committee on Ways and Means and the Committee on Government Reform and Oversight who have been helpful.

This measure marks a long overdue beginning of our efforts to collect delinquent debts which now are in the tens of billions—over \$100 billion to be precise. This is a victory for the taxpayers of America. When this bill is implemented by the agencies, the Federal Government will find that its rising tide of delinquent debts can be stemmed.

Mr. Speaker, I include for the RECORD the following statement in report format which clarifies the legislative intent:

#### DEBT COLLECTION IMPROVEMENT ACT OF 1995

This bill enhances Government-wide debt collection activities by adding a new offset

authority to 31 U.S.C. 3716; by creating a new exception to the Privacy Act (5 U.S.C. 552a); by revising the salary offset authority at 5 U.S.C. 5514; by requiring agencies to obtain taxpayer identifying numbers; by permitting the reporting of non-delinquent consumer debt to credit bureaus; by adding a new subsection to 31 U.S.C. 3711 that allows the Department of the Treasury and other agencies to cross-service the debts of other agencies; by extending the authority of agencies to compromise claims; by permitting agencies to garnish the wages of delinquent debtors; by permitting agencies additional authority to sell delinquent debts; by revising the Federal Civil Monetary Penalties Act of 1990 to require adjustments for inflation every four years; by adding a new section to title 31, United States Code, that allows agencies to retain a portion of annual collections of delinquent debts; by expanding tax refund offset authority; by requiring that disbursements are conducted electronically; by requiring that disbursements are associated with a taxpayer identification number; by revising definitions at 31 U.S.C. 3701 to broaden the scope of the general debt collection procedures; by providing for monitoring and reporting on debt collection centers; and by giving the Attorney General permanent authority to contract with private counsel to collect delinquent non-tax civil debt.

The debt collection authorities created under this bill will enhance the cooperation of Federal agencies in collecting Federal debt, by providing centralized administrative offset and cross-servicing authority. It is intended that the Department of the Treasury will act as the coordinator of Government-wide debt collection activities, providing a mechanism for effective administrative offset and acting as a clearinghouse to assure that Federal debts are collected in a timely and efficient manner.

#### PART I—GENERAL DEBT COLLECTION INITIATIVES

##### General offset authority

Short Title:

Effective Date:

Purposes:

Expansion of Administrative Offset Authority:

This section amends various sections in chapter 37 of title 31, United States Code, to cover judicial agencies and instrumentalities. Currently, these sections only apply to executive and legislative departments, agencies, and instrumentalities.

##### Enhancement of Administrative Offset Authority

This section would create additional authority for conducting Government-wide Administrative Offset at the Financial Management Service of the Department of the Treasury. Under this authority, Federal payment files would be matched against Federal debtor files to determine whether any debtors were receiving payments. Those payments would be subject to offset to satisfy any Federal non-tax debt or claim owed by the debtor.

Subsection (a) amends the application of administrative offset authority under 31 U.S.C. 3716 and the requirements for charging interest and penalties on claims pursuant to 31 U.S.C. 3717 to include debts owed to the United States by States and units of general local government.

Subsection (b)(1) amends 31 U.S.C. 3716 to allow Federal agencies to choose between adopting, without change, regulations promulgated by the Department of Justice, the General Accounting Office or the Department of The Treasury or promulgating their own administrative offset regulations consistent with those regulations.



Subsection (b)(2) expands the application of administrative offset to every instance except where a statute explicitly prohibits the use of administrative "offset" or "setoff" for collection purposes. This should increase the funds available for offset from which delinquent claims may be offset.

Subsection (b)(3), renumbers certain sections.

Subsection (b)(4), amends 31 U.S.C. 3716 by adding a new subsection (c). This paragraph statutorily requires disbursing officials of the Department of the Treasury, the Department of Defense, the United States Postal Service or disbursing officials designated by the Secretary of the Treasury to offset payments made by the United States to pay delinquent claims certified to the Secretary of the Treasury by creditor agencies in accordance with requirements issued by the Secretary. This paragraph enhances administrative offset authority contained in 31 U.S.C. 3716 by providing for centralized administrative offset at the disbursing official level. Currently, administrative offset is not conducted centrally within the Federal Government and is not effectively used. Disbursing officials of the Department of Defense and the United States Postal Service and other disbursing officials at any other Federal agencies will match their certification records with the debtor records reported to the Secretary of the Treasury by creditor agencies, in order to avoid duplicative reporting by creditor agencies to disbursing agencies, and assure that payments are intercepted.

Congress intends to include all eligible government payments in this centralized offset program, including the payments of all government corporations. Congress is concerned at the growing trend of fragmentation of disbursing authority, and support centralized coordination for the purpose of collecting debts and conducting offsets. Congress notes that because debt has been referred to the Department of the Treasury for offset does not necessarily mean that other debt collection tools (such as the use of private collection agencies or wage garnishment) should not be employed. The use of private collection agencies is long overdue. Agencies should use all cost-effective tools available to them to maximize the collection of delinquent debts.

Under subsection 3716(c)(4), the Secretary of the Treasury is authorized to charge a fee to cover the cost of conducting administrative offsets under this subsection, and to deposit fees collected to a fund to be determined by the Secretary. It is the intent of Congress that the fee will be collected from the proceeds recovered through offset and the amount charged to each agency be apportioned according to actual offsets. See fees should be considered costs of collections and should be borne by the debtor.

Section 3716(a)(5), authorizes the Secretary of the Treasury, in consultation with affected agencies, to issue regulations and procedures to implement the administrative offset authority. These regulations will include a provision for dealing with the potential of simultaneous offsets involving tax refunds under 31 U.S.C. 3720A and salary offsets under 5 U.S.C. 5514.

Section 3716(c)(6) provides that any Federal agency which is owed a legally enforceable past due debt more than 180 days shall notify the Secretary of the Treasury of the debt for the purpose of conducting administrative offset.

Section 3716(c)(7) requires that the payee receive the applicable offset notification.

Section 3716(c)(8) makes it clear that tax levies shall have a priority in collection from disbursements to be made over requests for offset received from other agencies.

Section 3716(d) clarifies that the Debt Collection Improvement Act is not intended to prohibit the use of any existing authority to perform administrative offset under statute or common law.

Subsection (c) revises section 3701(a) of title 31, United States Code, to define "non-tax debt or claim" for the purposes of claims collection. The definition clarifies that claims arising under the tariff laws of the United States are considered non-tax claims.

Subsection (d) authorizes the Secretary of the Treasury to offset amounts payable by the Federal Reserve to banks which have wrongfully negotiated forged or fraudulent Treasury checks.

#### Exemption From Computer Matching Requirements Under the Privacy Act of 1974

This section exempts matches conducted for the purposes of administrative offset under 31 U.S.C. 3716 from certain provisions of the Computer Matching and Privacy Protection Act of 1988, as amended. This section would permit offsets, and eliminate duplicative due process notifications, as well as duplicative actions by agency Data Integrity Boards.

#### Use of Administrative Offset Authority for Debts to States

This section authorizes the Secretary of the Treasury to enter into agreements for conducting reciprocal offset agreements with a State. The Secretary has broad discretion with regards to the terms of any reciprocal offset agreement. Congress believes that intergovernmental cooperation is in the best interest of the United States, and that Treasury participation in a program of intergovernmental offset is very important. Congress intends that such agreements will allow States to report the debts of any State agency or instrumentality, and any legally constituted local subdivision or local government within the State.

Congress does not intend to apply Federal resources to the collection of debts with very small denominations, or to those where the debtor has not been given any applicable due process rights. In addition, the Secretary of the Treasury should ensure that the reciprocal offset agreements authorized by this section protect the financial interests of the United States. Congress anticipates that Federal agencies will offset State debts in which there is no Federal interest or Federal/State cost-sharing (such as State tax debts). Similarly, Congress anticipates that States will offset Federal debts in which there is no State financial interest or Federal/State cost-sharing (such as debts owed to the Customs Service). It is the intent of Congress that the agreement be broadly in the mutual interests of Federal, State and local government.

#### Technical and Conforming Amendments

Subsection (a) makes several technical changes to title 31, United States Code.

Subsection (b) amends 26 U.S.C. 6103 to allow disclosure of taxpayer information to the Financial Management Service for the purpose of conducting offsets of tax refunds. This change allows the tax refund offset program to be implemented at the time of disbursement, and permits the Secretary of the Treasury to consolidate its non-tax debt offset programs.

#### Enhancement of salary offset authority

##### Enhancement of Salary Offset Authority

This section enhances current Federal salary offset authority by expanding agency coverage and by establishing annual matching requirements. Congress believes that employees of the Federal Government should be held to an exemplary standard and pay debts owed to the Federal Government. This section makes Federal salary offset mandatory.

Section 5514(l)(A) amends 5 U.S.C. 5514(a)(1) by adding new language requiring all Federal agencies to participate in computer matches of delinquent debtor files against Federal employee records at least annually. This provision requires the Secretary of the Treasury to establish and maintain a consortium to implement centralized salary offset computer matching, and to promulgate regulations for that purpose.

Section 5514(l)(B) and (C) facilitate the collection of debts by salary offset by exempting routine adjustments from the extensive and costly due process protections of section 5514.

#### Taxpayer identifying numbers

##### Access to Debtor Information

This section amends section 4 of the Debt Collection Act of 1982 by requiring agencies to obtain taxpayer identifying numbers from all individuals and entities doing business with the Federal Government to facilitate the collection of any receivables which arise as the result of that business relationship. This section defines what relationships are considered "doing business with" the Federal Government and requires agencies to disclose the purpose of their request for taxpayer identifying numbers. The taxpayer identifying numbers are needed to facilitate the collection of delinquent debts. Creditor agencies are authorized to verify the accuracy of their debtor records with records from the Department of Health and Human Services and the Department of Labor. It is the intent of Congress that creditor agencies have access to all relevant records at those agencies, including any delinquent parent locator service and unemployment insurance records.

#### Barring Delinquent Debtors From Obtaining Federal Loans or Loan Guarantees

This section would bar debtors who are delinquent on Federal non-tax claims from receiving financial assistance in the form of a Federal direct loan or a loan guarantee. The intent of this section is to provide authority to Federal agencies which administer credit programs to refuse to approve credit to parties who are delinquent on Federal claims to resolve their debts with the appropriate agency.

Congress also considered extending this debarment provision to other forms of assistance given to debtors. Agencies, in coordination with the Office of Management and Budget, should examine additional benefits, such as discretionary grants or non-mandatory benefits, which could feasibly be denied to debtors. Congress is pleased with the level of success attained by the Immigration and Naturalization Service's [INS] collection of inspection fees and the aggressiveness with which INS has pursued debtors by denying inspection services to airlines which are delinquent in the payment of certain fees owed to the INS. Congress is concerned with the growing delinquencies at the Customs Service, and note disapprovingly that the Customs Service has not responded to this situation by exercising authority to deny entry and inspection to vessels whose owners are also delinquent debtors. The Office of Management and Budget should direct the Customs Service to use these additional tools to collect debts owed to the Federal Government.

#### Expansion and enhancement of collection authorities

##### Disclosure to Consumer Reporting Agencies and Commercial Reporting Agencies

Congress notes the success that the Department of Education has achieved with the reporting of delinquent loans to consumer reporting agencies. This section would allow

agencies to conform to private sector practice by also reporting current loans to consumer reporting agencies. This will promote better credit information and good credit risks, and especially help recently-graduated students entering the workplace for the first time.

Subsection (1) amends the credit bureau reporting authority contained in 31 U.S.C. 3711(f) by requiring agencies to report delinquent debts.

Subsections (2) and (3) make conforming amendments to allow commercial debts to be reported to commercial reporting agencies.

Subsection (4) requires agencies to require that any participating lender in a guaranteed loan program provides information relating to the extension of credit to credit reporting bureaus. Congress is concerned that some agencies do not comply with the existing guidance in OMB Circular A-129. In particular, the Department of Housing and Urban Development does not refer claims for assigned multifamily mortgages to credit reporting bureaus; the Departments of Agriculture and Veterans Affairs does not report nor require lending institutions to report guaranteed loans to credit reporting bureaus. Congress intends this section to fix this deficiency, and that agencies will comply.

Subsection (4) also allows the head of an agency to report claims to a credit reporting agency which are current in payment. This change allows Federal credit reporting to be more consistent with private sector practice, and debtors whose accounts are current with the Federal Government shall receive the benefit of having favorable information provided to credit bureaus.

#### Contracts for Collection Services

This section permits agencies to contract with persons to locate and recover assets and pay for such services out of the proceeds that are recovered. The intent is to permit agencies to pay "finders fees" to persons who locate and recover assets of the United States the existence of or location of which is unknown to the applicable Federal Government agency.

Congress notes that the U.S. Marshals Service provides asset locator services for U.S. Attorneys in connection with debt litigation, and is very successful at this task. Congress further notes that this essential service is hampered by limits on Full-Time Equivalents imposed by the Federal Workforce Restructuring Act (FWRA) and a reliable funding source. In view of this essential service, Congress believes that the Director of the Office of Management and Budget should grant a waiver to the FWRA and associated Executive orders and that the Secretary of the Treasury should consider using the existing expertise in the U.S. Marshals Service in providing skip-tracing services to supplement any private persons obtaining contracts under this section.

Cross-Servicing Partnerships and Centralization of Debt Collection Activities in the Department of the Treasury

Subsection (a) amends 31 U.S.C. 3711 by creating new subsections (g) and (h).

Section 3711(g)(1) requires the heads of executive, legislative or judicial agencies to refer non-tax claims owed to the Department of the Treasury for servicing, collection, compromise or write off. The intent of this section is to improve the debt management performance of the United States by establishing a centralized cross-servicing mechanism wherein Federal agencies that do not have the expertise, personnel, or funding to implement effective claims collection policies on their own can use the services of Federal agencies that have effective claims collection processes. This section provides the

referred to transferred non-tax claims will be administered by the debt collection centers consistent with existing statutory requirements and authorities.

The Debt Collection Improvement Act, through its cross-servicing provision, provides independent authority for all Federal non-tax debt to be collected by those Federal agencies that are proficient in debt collection and have been designated as debt collection centers. Agencies which currently run large debt collection operations and should be considered for designation as debt collection centers by the Secretary of the Treasury include the Department of Veterans' Affairs, the Small Business Administration, the Department of Education and the Department of Housing and Urban Development. Each agency remains responsible for managing an effective debt collection program and to use effective debt collection tools, such as private collection contractors, debt collection centers, and litigation through the Department of Justice. Consistent with other initiatives in the Debt Collection Improvement Act, general oversight and operational responsibility for cross-servicing and effective debt collection has been delegated to the Department of the Treasury.

Section 3711(g)(2) describes exemptions to the requirement that agencies transfer debts to the Department of the Treasury under Section 3711(g)(1). Congress carefully structured these exemptions so that exemptions will only apply to those debts associated with a demonstrated repayment source. Congress believes the Secretary of the Treasury should exempt from transfer under this section collateralized obligations of the Government National Mortgage Association. Congress cautions the Secretary of the Treasury with liberal use of the Secretary's discretion in exemption claims from the transfer requirement, and note that the Secretary is responsible for government-wide debt collection. The exemption from this requirement should only be provided when it is demonstrated that an exemption is the best means to protect the Federal Government's financial interest in collecting the delinquent debt or claim.

Section 3711(g)(3) authorizes the Secretary of the Treasury to designate debt collection centers. It is anticipated that the Secretary of the Treasury shall monitor the performance of these centers, since ultimately, the Secretary is responsible for the work they perform. A debt collection center's degree of success, which is the basis of their designation as a debt collection center, may be dependent upon the type of claim referred to the center. In order to fairly establish a performance baseline, the Secretary should examine collection success of similar types and maturities of debts at private collection agencies and at other Federal agencies.

Section 3711(g)(4) authorizes the referral of debts by the Secretary of the Treasury to a debt collection center, a private collection agency, or to the Department of Justice. In referring debts to private collection agencies, the Congress has purposely given latitude to the Secretary of the Treasury to determine the most appropriate private collection agent. Debts may be referred to a private debt collector, collection agency or commercial attorney. This subsection does not authorize a commercial attorney to represent the Federal Government in a litigation action in the absence of supervision of the Department of Justice.

Section 3711(g)(5) describes the authorities and responsibilities of the Secretary of the Treasury with regards to debt collection. It is the intent of Congress to give contracting authority for the purposes of debt collection to the Secretary of the Treasury broadly similar to that given to the Department of

Education. Congress commends the Department of Education for the steps it has taken to rely successfully on the expertise of private collection contractors, and would like to see similar success at the Department of the Treasury and at the Internal Revenue Service in particular.

Section 3711(g)(6) and (7) authorize the executive department or agency operating a debt collection center to charge a fee to cover costs of program implementation, and provide that fees may be collected from recoveries. Congress intends to give agencies authority to pay debt collection centers and contractors from collection proceeds, and that costs of recovery shall be borne by the debtor.

Section 3711(g)(8) requires that amounts collected as fees which are not needed for debt collection purposes in the fiscal year shall be deposited into the Treasury as miscellaneous receipts.

Section 3711(g)(9) requires that agencies take appropriate steps in the collection process to collect delinquent debts prior to write-off or discharge, including administrative offset, tax refund offset, Federal salary offset, referral to private collection contractors or agency debt collection centers, credit bureau reporting, wage garnishment and litigation or foreclosure.

Under Section 3711(g)(10) the Secretary of the Treasury is authorized to issue regulations and procedures to implement this subsection.

Section 3711(h) authorizes agencies to employ a consumer report to evaluate collection efforts with respect to an individual. Such data can be particularly helpful in evaluating whether to terminate collection action and determine repayment schedules. Agencies should develop policies on when the use of a credit report is appropriate based on its cost and potential benefit.

Subsection (b) creates a new procedure whereby agencies may, in lieu of filing a return required under Section 6050P of the Internal Revenue Code, provide to the Secretary of the Treasury, or his designee, the data necessary to accomplish this task. It is anticipated that the Financial Management Service will perform this task for the Secretary of the Treasury. Congress is concerned about the problem of inadequate reporting to the Internal Revenue Service related to discharges of indebtedness. The Office of Management and Budget, with the assistance of the Department of the Treasury, should monitor agencies to ensure compliance with the requirements of Section 6050P.

#### Compromise of Claims

This section clarifies that the increased authority of a head of an agency to compromise a claim under 31 U.S.C. 3711(a)(2) contained in the Administrative Dispute Resolution Act is a permanent authority and is not subject to the sunset provision contained in that Act.

#### Wage Garnishment Requirement

This section authorizes agencies to garnish administratively the wages of delinquent debtors. It is the intent of Congress that every debtor that has a job or income should be in a repayment schedule. The Congress considered making this a mandatory tool, and agencies should consider aggressive use of wage garnishment to compel repayment of delinquent debts. The section also describes the procedures that an agency must follow to administratively garnish a debtor's wages, including a description of the debtor's due process rights and limitations on agency authority.

#### Debt Sales by Agencies

This section amends 31 U.S.C. 3711 to include a new subsection (h)(1) authorizing

sales of debts delinquent for more than 90 days. It is the intent of Congress to increase debt sales where appropriate. Debt sales are an appropriate collection tool which results in the privatization of the liability for a debt and the costs of collection. Congress is impressed with the results of loan sales at the Department of Housing and Urban Development. This example should be followed by other Federal agencies which lack the administrative capacity to manage their large portfolio of distressed properties.

Section 3711(h)(2) requires that delinquent debts be sold if the Secretary of the Treasury determines that such sales would be in the best interest of the United States. It is the intent of Congress that, to the greatest extent possible, prior to terminating collection action, agencies should sell delinquent debts in order to realize at least some amount of the delinquent receivable.

Section 3711(h)(3) describes the conditions of sale for debts. It is the intent of Congress that agencies should be able to sell debts while retaining some portion of equity participation in the collection of the delinquent debt. This form of structured security (sometimes referred to as a joint venture between an agency and another person) allows agencies to obtain income as well as the possibility of future payments. Congress encourages agencies to employ the collection tool that maximizes repayments.

Section 3711(h)(4) requires agencies to develop an inventory of loan assets. Congress intends to use this information to evaluate the results of collections and loan sales. The successful loan sales at HUD resulted in receipts far in excess of the proceeds anticipated under the Federal Credit Reform Act. Agencies should consider the results of these valuations and compare them against collections.

To assure that agencies use the most economically effective means in collecting delinquent debt, agencies contemplating the sale of unsecured debt should prepare a cost-benefit analysis comparing the benefits of immediate sale to collection using other debt collection tools, including administrative offset, transfer to the Department of the Treasury and use of private collection agencies.

#### Adjustments of Administrative Debt

This section allows agencies to simplify the complicated series of fines, interest and penalties required under 31 U.S.C. 3717. Congress views the requirement to charge interest and penalties with great seriousness. The disappointing performance of nearly every agency, with the exception of the Department of Education, in assessing and collecting these amounts should be improved. Congress directs agencies to comply with the law, and for OMB to ensure that this requirement is met.

The intent of this section is to allow agencies option to combine these fines and penalties into a single, easy assess charge. Congress is aware of the inadequate systems agencies face in assessing these amounts. Agencies that lack the technical accounting expertise to comply with 31 U.S.C. 3717 should privatize the management of their credit portfolio. The Department of Agriculture should rely on the expertise of private contractors to improve the dismal collection performance of its portfolio of farmers' home loans.

#### Dissemination of Information Regarding Identity of Delinquent Debtors

This section authorizes agencies to publicize the identity of delinquent debtors to help collect debts. Congress notes the success of the Public Health Service's program regarding dissemination of the identity of doctors delinquent in the repayment of med-

ical school loans. The head of other agencies should seek to replicate this success, and make this tool more widely known among the debtor population. Congress recognizes that this is a powerful enforcement tool and urges judicious use.

#### Federal civil monetary penalties

##### Adjusting Federal Civil Monetary Penalties for Inflation

Subsection (a) amends section 4 of the Federal Civil Penalties Inflation Adjustment Act of 1990 to require agencies to make an initial adjustment of such penalties within 180 days of the enactment of this bill, and also requires agencies to make additional adjustments at least once every four years.

Subsection (b) limits the amount of the initial adjustment to ten percent of the amount of the penalty prior to such adjustment.

#### Gain sharing

##### Debt Collecting Improvement Account

Subsection (a) of this section creates a new section 3720C in Title 31, United States Code.

Section 3720C(a) establishes an account in the Treasury entitled the "Debt Collection Improvement Account" ("Account"). The Department of the Treasury shall maintain and manage the Account.

Section 3720C(b) provides that agencies collecting delinquent claims may transfer into the Account five percent of the delinquent debt collected during any fiscal year beyond a baseline established for the prior fiscal year. The Office of Management and Budget shall determine the baseline from which increased collections are measured over the prior year, taking into account the recommendations made by the Secretary of the Treasury in consultation with credit agencies.

Section 3720C(c) provides that the amount available for expenditure in any fiscal year will be available for certain purposes designed to improve debt collection, financial management or asset disposition. Section 3720C(c) also provides that the amount available to the agency will be in proportion to amounts transferred to the account.

Section 3720C(d) modifies the treatment of amounts credited to the Account that are subject to the requirements of the Federal Credit Reform Act of 1990. That Act requires that collections for direct loans and loan guarantees made since 1991 be credited to a financing account and included in the cash flows used to calculate the subsidy cost of the credit program. This section provides that collections that are credited to the Account will not be included in the subsidy cost calculation in order to avoid counting them both in the cost calculation and on a cash basis.

Section 3720C(e) authorizes the Secretary of the Treasury to issue regulations and procedures to implement this section.

#### Tax refund offset authority

##### Expanding Tax Refund Offset Authority

Subsections (a) and (b) change the exclusion of the Tennessee Valley Authority (TVA) by authorizing the TVA to use tax refund offset.

##### Expanding Authority To Collect Past-Due Support

This section allows the Secretary of the Treasury and the Secretary of Health and Human Services to choose between using the tax refund offset authorities of either 31 U.S.C. 3720A or 42 U.S.C. 664 to collect past-due child support. This change in Section 3720A of title 31 is not intended in any way to hinder, restrict, or add any additional requirements to the collection of past-due support under 42 U.S.C. 664.

#### Offset of Tax Refund Payments by Disbursing Officials

This section allows the Secretary of the Treasury to implement the tax refund offset program through the disbursing official of the Department of the Treasury (i.e., the Financial Management Service). This will allow for more efficient operations, as the Financial Management Service also operates the administrative offset program. By merging these two offset programs, the Department of the Treasury will streamline and improve its operations.

It is the intent of Congress that the Financial Management Service should perform both the tax refund offset and the administrative offset programs. This legislation makes changes in those two programs so that their administrative requirements are broadly similar, and can be performed by the same entity, the Financial Management Service. This change will allow the Internal Revenue Service to focus its efforts on other management problems identified by it and Congress. Congress intends that the Internal Revenue Service will transfer the operation of the tax refund offset program to the Financial Management Service.

#### Disbursements

##### Payments

Subsection (a) mandates that all Federal payments to individuals who become eligible for that type of payment after 90 days after the date of enactment of this Act shall be made by electronic funds transfer. Further, individuals already receiving payments will begin to receive those payments electronically after 1999. This section will facilitate offset and improve audits associated with counterfeit, stolen, forged and fraudulent checks.

Since this section will require participating beneficiaries to obtain a bank account, Congress expects the Secretary of the Treasury to work vigorously to accommodate the needs of the unbanked recipients through such means as: (1) the planned implementation of a national electronic benefits transfer system for Federal payments through the designation of depositaries and financial agents under the Secretary's existing authority. Under this program, recipients will receive all benefit payments under a single access card; (2) implement through the private sector consumer owned bank accounts where recipients access their funds by debit card or other means, rather than through traditional account features, such as checking. This product is known as Direct Deposit Too and is an extension of the Treasury's Direct Deposit Program; (3) intensive marketing of the Treasury's existing Direct Deposit Program for both individuals and businesses; and (4) other forms of electronic benefits transfer. The Financial Management Service should evaluate several recent pilots, including its Direct Deposit Too and various state pilots, to determine the best mechanism for benefit delivery.

The Secretary of the Treasury is given broad discretion to waive the requirements of this section to avoid imposing a hardship on a beneficiary. Congress expects the Department of the Treasury to promulgate regulations addressing such hardship waivers and to consider various factors in defining hardship. Congress recognizes that adherence to these provisions may be difficult for a variety of beneficiaries. We are concerned that individuals who have geographical, physical, mental, educational, or language barriers or as a result of natural or environmental disasters will not be able to receive benefits. Recipients in this category includes small businesses as well as individuals. Waivers should be provided in order to minimize disruptions to any beneficiary. Additionally,

the Secretary of the Treasury may waive this section for recipients who reside in a country where delivery of an electronic payment is impractical.

The Congress further directs the disbursing official to study the socioeconomic and demographic characteristics of those who currently do not have direct deposit and determine how best to increase usage among all groups. The Congress further directs the disbursing official to study the adequacy of consumer protections available to individuals who are required to obtain a bank account under this section.

The exclusion of the application of this section to tax refunds is to allow time for development of the necessary infrastructure for making these electronic payments. However, the Secretary of the Treasury should, to the maximum extent possible, implement a system to disburse tax refunds electronically and conduct demonstrations of other electronic technologies to maximum outreach to recipients.

Subsections (b) and (c) allow the Secretary of the Treasury to issue substitute checks to repay Federal recipients whose checks have been stolen, forged or fraudulently cashed. The Check Forgery Insurance Fund provision would authorize the Secretary of the Treasury to establish a flexible procedure for facilitating the timely payment of forged Government checks by providing a permanent and indefinite appropriation which would ensure readily available funds to provide innocent payees with replacement checks in a timely manner. It enables the Department of the Treasury to comply with two decisions of the Comptroller General Decision B-242666, dated August 31, 1993 and B-243536, dated September 7, 1993. These decisions concluded that the Check Forgery Insurance Fund Act (31 U.S.C. 3343) requires that the Department of the Treasury certify all checks issued to replace those checks paid over forged endorsements and charged to the Fund.

The Congress recognizes that many payees rely on these payments for their basic subsistence and seeks assurance that claimants receive checks in a timely manner; the prospect of payees not receiving timely replacement payments is unacceptable to Congress. Congress notes the importance of the timely issuance of replacement checks, and that such replacement checks should not be contingent upon the Government's ability to recover the original forged check. Congress also notes that in the case of an innocent payee whose check has been forged, the Government's obligation to pay remains outstanding. This provisions would provide an equitable solution for payees and disbursing and program agencies, by resolving current inequities inherent in the current process of payment of checks bearing forged or unauthorized endorsements.

#### Requirement To Include Taxpayer Identifying Number With Payment Voucher

This section requires that Federal agencies include a taxpayer identifying number when a payment is made. This requirement will facilitate offset and increase collections. Congress directs the disbursing official of the Secretary of the Treasury and the Department of Defense to survey agency compliance with this section and include the results of this survey in the consolidated debt collection report to Congress required under Section 1692 of this Act.

#### Miscellaneous

##### Miscellaneous Amendments to Definitions

Subsection (l) revises the definitions for "administrative offset" and "claim" under 31 U.S.C. 3701 (a)(1) and (b). These changes permit offsets of payments for the collection of debts administered by States such as

debts which contain a Federal monetary component (e.g., AFDC overpayments due to fraud) and delinquent child support obligations. The definition of "claim" also includes amounts which the United States collects for the benefit of any person under statutory authority.

In addition, the definition of debt has been amended to include deficiency payments. Federal authority to collect deficiencies has been upheld based on provisions of Federal law preempting State laws governing mortgage debt (in all but a few narrow circumstances). This authority has been upheld by numerous court decisions (including *Connelly v. Derwinski*, 961 F.2d 129, 131; *United States v. Shimer*, 367 U.S. 374, 387; and *Burris v. First Financial Corp.*, 928 F.2d 797, 800-801).

The Congress is concerned that agencies have not established deficiencies as debt consistently. The Federal Housing Administration uniformly establishes as debt and collects deficiencies only in its Title I program. Congress is concerned that debtors under FHA's other loan programs are receiving different treatment. Deficiencies should be established in all cases.

Congress is also concerned that agencies do not monitor the unpaid share of any non-Federal partner in a program involving a matching, or cost-sharing, payment by the non-Federal partner. According to the General Accounting Office, the non-payment of these types of matching payments has become more common. Congress is concerned about this trend, and wants to see those amounts collected.

This section also adds specific definitions applicable to administrative offsets under 31 U.S.C. 3716 for creditor agencies and payment certifying agencies.

#### Monitoring and Reporting

Subsection (a) authorizes the Secretary of the Treasury to provide guidelines to monitor the performance of debt collection activities, in consultation with debt collecting agencies.

Subsection (b) requires the Secretary to report to Congress on the progress of debt collection centers, defined under subsection (c) as those centers providing debt collection services for other agencies.

Subsection (c) provides that the Secretary of the Treasury will submit reports concerning the status of loans and accounts receivable to Congress in accordance with the Debt Collection Act of 1982. Formerly, reporting was performed by the Director of the Office of Management and Budget.

Subsection (d) authorizes the Secretary of the Treasury to consolidate all debt collection reports.

#### Review of Standards and Policies for Compromise of Write-Down of Delinquent Debts

This section requires the Office of Management and Budget to review agencies' standards and policies for compromising, writing-down, forgiving or discharging indebtedness and various reporting requirements. OMB should rely on the expertise and personnel of the Department of the Treasury in preparing this report, which should be consolidated with the annual consolidated debt collection report. However, OMB needs to be very involved in ensuring that each Federal agency complies with changes needed in their policies.

Congress is seriously concerned about dissimilar standards for discharging indebtedness at different agencies. This needs careful monitoring. Congress is concerned that the credibility of the Federal Government is undermined when similarly-situated beneficiaries under one program receive more generous treatment than those under another program.

In addition, Congress is very seriously concerned about the poor reporting of the discharge of indebtedness to the Internal Revenue Service on Form 1099. The Office of Management and Budget should ensure that agencies consistently report these amounts or allow the Secretary of the Treasury to report the data to the Internal Revenue Service.

#### Justice debt management

##### Expand Use of Private Attorneys

This section gives the Attorney General permanent authority to contract with private counsel to collect delinquent non-tax civil debt when deemed appropriate.

Mr. LIVINGSTON. Mr. Speaker, I yield 1 minute to the very distinguished gentlewoman from New York and soon-to-be-mother [Ms. MOLINARI].

Ms. MOLINARI. Mr. Speaker, I rise today in strong support of the Balanced Budget Downpayment Act and would like to thank the distinguished chairman of the Committee on Appropriations, the gentleman from Louisiana [Mr. LIVINGSTON], the entire Committee on Appropriations, and especially the gentleman from Kentucky [HAROLD ROGERS], for their cooperation in securing \$175 million for the Violence Against Women block grant, an increase of 573 percent over last year's Commerce, State, Justice appropriations bill.

In addition, thanks to support from the gentleman from Illinois [JOHN PORTER], this bill increases the Violence Against Women provisions from last year's Labor-HHS appropriations bill from \$1 million to \$53 million. The Balanced Budget Downpayment Act also provides for \$32.6 million for family violence programs used to support battered women's shelters. When all is said and done, Violence Against Women programs will be increased by over 700 percent over last year's budget.

This funding is necessary, Mr. Speaker, and demonstrates that today we can show that we can achieve a balanced budget while also recognizing important priorities for our Nation's future.

Again, I thank the distinguished chairman.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas [Mr. DELAY], majority whip.

Mr. DELAY. Mr. Speaker, the American people have won a great victory today. This bill represents the end of business as usual. We fought. We begged. We cajoled. And now we finally have convinced the President that fiscal responsibility is good politics. The gentleman from Louisiana, Chairman LIVINGSTON, has done that, along with his staff, and for that reason I salute him.

This legislation is the right thing for this country at this moment with this President. It is not the perfect bill. I am disappointed that we did not get rid of more wasteful Washington programs. Goals 2000 funds bureaucrats instead of teachers. AmeriCorps pays people a healthy wage to be volunteers, and the NEA pays for controversial and

sometimes obscene art. But Rome was not built in a day and getting the perfect budget will take more than one term in the majority.

To my colleagues who would sacrifice the good in favor of the perfect, let me say, I admire your fidelity to principle, but let me also say that voting to cut \$23 billion in spending, eliminating over 200 wasteful Washington programs and doing all of this without raising one dime in higher taxes does not represent a sacrifice of conservative principles. No one could call me a moderate, but I am voting for this bill. I am voting for this bill secure in the knowledge that it is the right thing to do now at this moment in history.

I give Chairman LIVINGSTON a great deal of credit for his determination and for his patience in negotiating this agreement. I urge my colleagues on both sides of the aisle to vote for this legislation. Send it up to the President and have him sign the bill that delivers the greatest savings to the taxpayer since the Second World War.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

I should simply take this time, Mr. Speaker, to note, and I want to thank the conference for this, the conference agreed to add an additional 15 million for the Department of Energy's lab to lab program. Those funds can be used immediately to fund recently concluded cooperative agreements with six nuclear facilities in the former Soviet Union. The idea behind this is to prevent the surreptitious obtaining of nuclear material by potentially terrorist groups who might use it for nefarious purposes against any country, including our own. This program was set up to improve the security of nuclear materials, prevent leakage. The program is carried out through multiple channels, through governments, nuclear laboratories and institutes and Russian nuclear regulatory authorities. Anyone who has heard the recent reports about the danger of leakage of nuclear fissionable material from the NIS knows of the grave potential of the danger of such leakage. This will enable us to strengthen that program. I appreciate the cooperation of the conference.

Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I just wanted to point out that from the very beginning when we were dealing with the appropriations spending bills this year, Democrats were making the point very vividly that it was possible to keep spending down, balance the budget and at the same time protect the priorities that we cared about, education, the environment, Medicare, Medicaid and some of the other concerns like the 100,000 cops program that President Clinton had supported and put together for the last couple years.

I think that today shows the vindication, if you will, of the Democratic point of view. We are moving an appropriation bill that will save significant

amounts of money, billions of dollars, but at the same time it protects those priorities.

With respect to the environment, which is one of my major concerns, although the amount of money is less than what the President asked for and what the President thought was necessary, we are almost back to what we wanted. And most importantly, we have eliminated those terrible anti-environmental riders that the Republican leadership had been touting for so many months. So I think this is a good compromise, but it is a vindication of our Democratic principles.

Mr. OBEY. Mr. Speaker, I ask unanimous consent to yield 2 of my minutes to the distinguished gentleman from Louisiana [Mr. LIVINGSTON].

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LIVINGSTON. Mr. Speaker, I thank my friend for yielding time to me. We have a number of speakers here.

Mr. Speaker, I yield 1 minute to the very distinguished gentleman from Florida [Mr. MCCOLLUM].

(Mr. MCCOLLUM asked and was given permission to revise and extend his remarks.)

Mr. MCCOLLUM. Mr. Speaker, I simply rise to point out, as chairman of the Subcommittee on Crime, that there are three contract with America crime bills that are incorporated in this today. The three that are in this bill that were contract with America bills are, one, a provision that would end the so-called prevention programs of Washington knows best that were in the 1994 crime act that many of us complained about. Instead in its place in this bill and in this legislation are a block grant to the cities and the counties of this country to spend as they see fit to fight crime to the tune of about \$500 million for this coming year.

In addition we have the version in the contract with America of the prison grant program that will ensure an incentive for truth in sentencing for States to have laws passed that require the serving of 85 percent of their sentence of all felons.

And last but by no means least, we have a provision in this bill which will mean that the States get back control of their prisons, that Federal judges no longer will be able to have the rulings they have been having on overcrowding. We lift the caps. We change the consent decrees. We say in the future that you will not have in addition frivolous lawsuits from prisoners.

This is a monumental change in criminal law with regard to prisoners and frivolous lawsuits.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. BONIOR], distinguished Democratic whip.

Mr. BONIOR. Mr. Speaker, I thank my colleague, Mr. OBEY, who I think

has done a magnificent job. I also want to take this opportunity to commend the gentleman from Louisiana [Mr. LIVINGSTON] for his hard work over these 6 months on this particular bill.

I think the product that the gentleman from Wisconsin [Mr. OBEY] and our colleague from Louisiana, the chairman of the committee, have given us reflects well on the best of what this Congress can be about, had we put our minds to preserving the priorities of the country, the education priorities, the environmental priorities and the public safety priorities. I am particularly pleased that they took the time and devoted the attention and preserved the funding for the School-to-Work Program, the Safe and Drug-Free School Program, which, as we all know, encompasses the DARE program, teaches our kids to stay off drugs, be against gangs and gang violence.

With the Title I Program, 1.5 million kids in our country now will have the ability to have additional math and reading programs that will enhance their education and of course the direct loan program for those who are attending higher education at the collegiate level.

We are pleased at the amount of funding that we were able to save over what the House did. In the area of the environment, we are very pleased that there were rollbacks in some of the raids on environmental safety. We have had 25 years of bipartisan support for the environment in this country, and I am hopeful that this report will move us back in that direction because initially, as Members know, as this bill or pieces of this bill left the House of Representatives, there was a serious attack on the environment of this country. So I am happy to see that they have made correction in this area.

Also, in public safety, let me say, Mr. Speaker, that the 100,000 police officers on the beat are important additions. We thank both gentlemen for their inclusion in that.

Mr. LIVINGSTON. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. PACKARD], the distinguished chairman of the Legislative Subcommittee.

(Mr. PACKARD asked and was given permission to revise and extend his remarks.)

Mr. PACKARD. Mr. Speaker, I want to first congratulate the gentleman from Wisconsin [Mr. OBEY] and the gentleman from Louisiana [Mr. LIVINGSTON] and the conferees, people down at the White House and over on the Senate side for their work on this bill. It is a good bill. It is a bipartisan bill and, frankly, it is a compromise bill.

Mr. Speaker, it is really not a question of whether the President won in this compromise, whether the Republicans won, whether Democrats won. The question really is, do the American people win. I think that is an overwhelming and resounding yes. Forty-three billion dollars have been cut

back in this bill and in the rescission bill earlier last year. Two hundred programs have been eliminated. Significant cuts have been extracted from many of the other programs and agencies, \$144 billion deficit, when it was projected by the President that it would be over \$200 billion.

That is a huge turnaround for the American people. They are the ones that ought to rejoice in this. We ought to pass it overwhelmingly today. I am proud to vote for it. I am very grateful for the work that has been put into it by our leaders.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, this bill is a victory for American values. It is a triumph of American's priorities in areas like education, the environment and Medicare, over the politics and the policies of government gridlock and shutdown. It shows the power of mainstream values in this Nation and the utter bankruptcy of the policy of extremism.

It proves and demonstrates that in fact we can cut spending in these difficult economic times with a lack of resources and at the same time hold on to and preserve those values of education and the environment that this Nation holds dear.

Mr. Speaker, we can remember the commentary in the past several months about a willingness to shut the Government down, not once but twice. We can remember the commentary about making the biggest cuts in education in this Nation's history. That failed. The proposal of disastrous environmental policies, they failed.

Mr. Speaker, because of the steadfastness, today we vote on appropriation bills that protect America's priorities.

Mr. LIVINGSTON. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I truly believe that liberals want to help in Medicare, Medicaid, education, the environment, just like conservatives do. Let us take the case where you tell one of your liberal constituents that you are going to have him give his money to a broker. That broker is going to take care of Medicare, Medicaid, education, and the environment. But then tell him he is only going to get 50 cents of every dollar he gets back and the other 50 cents is going to go pay for his staff and his overhead. That guy will tell you that he does not support that kind of an issue.

That is what happens in this place. First place, it is not your dollar. You have to take it away from the constituent. Then you turn it around and give it back at a very low rate, for example, welfare. You only get about 30 cents on a dollar. Education, you get a very low percentage back on the dollar with 760 education programs.

□ 1615

Mr. Speaker, what we are doing is we are giving the money back, but we are doing it without raising a single tax, and we are cutting 200 programs and streamlining government.

Mr. Speaker, this is a monumental bill. It is \$43 billion less than we would have had under Democratic control.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Speaker, I thank the gentleman from Wisconsin [Mr. OBEY] for yielding this time to me, and I also thank him for his leadership, for holding firm for the priorities for the American people. I also want to commend the gentleman from Louisiana [Mr. LIVINGSTON] for his leadership in bringing this bill to the floor.

If it had been left to our Chair and our ranking member, a long time ago this issue would have been resolved. We would not have had to have a Government shutdown.

But I commend the President of the United States for holding firm to his commitment to education, to protecting the environment, and for LIHEAP, and the list goes on of priorities which have been respected in this spending bill. It also has a large number of cuts, and I am dismayed to see that it still has \$7 billion more in there for defense, as we subject all of our spending to such scrutiny.

But it is a good bill, it is a compromise, and best of all it eliminates the very mean-spirited, I say that advisedly, mean-spirited language in there for HIV-infected people in the military.

Today is a victory for democracy and for compromise, and I thank our chairman and ranking member for their leadership.

Mr. LIVINGSTON. Mr. Speaker, I yield 3½ minutes to the distinguished gentleman from Ohio [Mr. KASICH], chairman of the Committee on the Budget, the gentleman that set forth the guidelines which we are now currently following in the appropriations process.

Mr. KASICH. Mr. Speaker, I want to commend the chairman of the Committee on Appropriations and declare today a victory for the American people and a victory for the children whose future has been increasingly at risk, and I would like to say today that yesterday evening I was over in the committee that the gentleman chairs, and I got one of the older guys, one of the guys that has been around here for a long time, and I said, "I understand that this is the most significant reduction in Washington spending since World War II."

And he said, "You know, I am not so sure about that." And he went into one of these big thick books, and he blew the dust off and he got the paper out, and we started looking in 1945, and from 1945 to 1996 they cannot touch us in any other year. This is unprecedented today since World War II. We

have pried some of the money out of the hands of Washington bureaucrats, we have eliminated some absolutely absurd programs, including the program where we spent millions of dollars to eradicate ticks in Puerto Rico, where we spent millions of dollars to locate offices in Paris and all over Canada telling people, "By the way, did you know there was a place called the United States? You ought to visit it sometime."

There is a program that says to children, "We will give you millions of dollars to measure rainfall by collecting it."

Now, my colleagues, these programs have been going on forever, and we got in charge 17 months ago, and we told the American people we were here to change things, and we were here to strip power, money, and influence out of this city.

This does not do it all, this is discretionary spending, this is Washington spending. It is only a third of the budget, but it is the only thing in which the President was forced to sit down and achieve a result, and to our credit we did not buckle, we did not cave, we did not collapse. And we have been able to achieve the single largest reduction in Washington spending since World War II.

Mr. Speaker, that is a tremendous accomplishment by this Congress, and I want to commend the chairman of the committee for his tenacity, and I want to commend all of my colleagues for their commitment to getting this job done. This is not the end all; this is just one very strong, first step in that long marathon of rescuing this country from economic anxiety, the fear that families have they will lose jobs, the problems of wage stagflation, wage stagnation, and at the same time it is a down payment that puts a little light at the end of that tunnel that our children will inherit a bountiful America.

Mr. Speaker, I want to suggest today that eliminating 200 programs, I would maintain that being able to pry some of the money out of the hands of Washington bureaucrats and eliminating 200 wasteful Washington programs that have gone on too long sucking dollars out of the pocketbooks of hard-working Americans, this is a great achievement, not just for this Congress but for the American people, and when we all leave here today to go home, we should be proud to stand up and tell our constituents that we finally have their message and that this Congress is going to continue to stand firm until we deliver the whole deal.

Congratulations. Vote for the bill.

Mr. OBEY. Mr. Speaker, I yield myself 30 seconds.

The statement that the previous gentleman just made that this represented the largest deficit reduction since World War II is simply not true. The President's budget has brought down the deficit more than \$100 billion. That is far larger than the reductions we see in this bill today. We welcome the add-



on, but I think we need to keep the facts straight.

Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, we have to love the chairman of the Committee on the Budget. He is trying to snatch victory from the drum beat of retreat to cutting education, cutting the environment, cutting programs that the American public have communicated to my colleagues, "Do not touch them. Do not take our cops off the beat, do not take our teachers out of school, do not take our chapter 1 students and put them without any kind of help, because that is not good for the country."

And I congratulate the gentleman from Ohio [Mr. KASICH]. He spins it as well as anybody in this House. But, my colleagues, I am pleased to see us abandon the CRs that I used to refer to as completely ridiculous to CRs that say completely, and perhaps that overstates it, but resolved the 1996 budget. Yes, it is 7 months late. Yes, it is after an unprecedented 25 days of shutdown. But, I say to my friend, the chairman of the Committee on the Budget, he pointed out incorrectly, as the gentleman from Wisconsin [Mr. OBEY] has noted, that it was not since 1945, and I hear the complaints that Bill Clinton has stood in the door of progress and vetoed legislation.

Where was Ronald Reagan to accomplish this great objective of which the chairman speaks in 1981, 1982, 1983, 1984, 1985, 1986, 1987 and 1988, and our friend, Mr. Bush in 1989, 1990, 1991 and 1992? Where was he when it was profligate spending? Where were they to say "no." We never overrode one of their vetoes on spending. Not once.

So, yes, now we have a bill that we are going to vote for; I hope everybody votes for this because it does, in fact, try to meet the needs of the American public, whether it is for education, public safety, health, or senior citizens health care. It tries to say we understand that we need to invest in the welfare of our people. This bill does it.

Mr. LIVINGSTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. UPTON].

(Mr. UPTON asked and was given permission to revise and extend his remarks.)

Mr. UPTON. Mr. Speaker, this has been a long and arduous process. Putting together the revised export provisions for drug and device exports would not have been possible without the help of my good friends and colleagues, the chairman of the Commerce Committee TOM BLILEY, and the ranking member on the committee, JOHN DINGELL. Their efforts have made our goal of allowing easier exporting of these important medical products a reality, and I thank them and their staffs for all of their hard work.

As many of you know, I introduced H.R. 1300 in May of last year. Mr. Rich Rakow, a constituent of mine in southwest Michigan, who works for one of the drug manufacturers in my district came to me during a town meeting about a problem his company was having

exporting its products. It seems that under our current export restrictions, it is virtually impossible to ship drugs or medical devices out of this country for use in other countries, even if they meet the needs and requirements of the importing country. I found this, well, unbelievable, and directed Jeff Myers on my staff to look into the matter.

What they reported to me was troublesome, to say the least. Manufacturers of pharmaceuticals, medical devices, and other blood products were moving overseas, taking with them high paying, highly skilled manufacturing jobs. Part of the reason for this is the current inability of the FDA to quickly turn around products submitted to them for approval. The other part of the equation, however, is the export provisions that were put into the Federal Food, Drug, and Cosmetic Act in 1986.

The goal of those amendments were simple. They attempted to open the door to the export of drugs to our trading partners overseas. Unfortunately, this has not been the case. The regulated industries have made very clear to me that these provisions are strangling their ability to compete, and this is causing an alarming increase of medical manufactures moving overseas. The compromise language included in the bill before us today, H.R. 3019, seeks to change this pattern.

Senators HATCH, KENNEDY, and GREGG, Chairman BLILEY, Ranking Member DINGELL, and myself, along with the FDA, worked on the language included in this bill. We worked to reconcile the differing language passed by the respective chambers included in the omnibus funding bill for fiscal year 1996. There is broad agreement on what the language in the bill means. I would like to discuss some of the ideas in the bill where there may be some misunderstanding in the future.

It is very clear that the majority of the Members believe that the export provisions are a trade issue first and foremost. Restrictions on trade often mean the loss of jobs right here in the United States. However, Senator KENNEDY voiced a number of concerns with H.R. 1300, and its companion bill, S. 593. His major objection, as I understand it, was that the FDA would not have any control at all over the exporting of drugs and devices. With those objections in mind, the mini-conference set out to mete out a compromise.

The FD&C Act, under this amendment, is altered to make it easier to export drugs and devices, as I have said before. It is also amended to make it generally easier to import unapproved subassemblies of these medical products, for the manufacture and export of finished products. This is very important.

The plain meaning of amendments to section 801(e) of the FD&C Act as it relates to imports is that no subassembly which is brought into this country solely for the purpose of manufacturing products to be exported would be restricted, as long as the company keeps records of the imported product, and destroys any of the imported subassemblies that are not to be used for the manufacture of exported products. Furthermore, the importation of blood components, source plasma, or source leukocytes is permitted as long as the company importing these products follows the guidelines in Section 351(a) of the Public Health Service Act, or if the Secretary has set up appropriate guidelines for the importation of these products. It is my understanding that there are companies in the United States that

process these products for other countries, and this provision is meant to allow this to continue.

The addition of new provisions in section 801(f)(1) and (2) have also raised some issues within the drug and device community, and I would like to address these concerns. This amendment is designed to allow the export of FDA-approved drugs and over-the-counter [OTC] products with labels that may differ from the labels approved in the United States. As all of the conferees are aware, the FDA approves not only the molecular entity that makes up the OTC, branded and generic products, but it also approves the label with indications and contraindications for usage. Traditionally, the FDA has taken the approval process for products which need approval under section 505 of the FD&C Act to mean that this includes the label, and have therefore read section 801(e) as meaning that the product must be labeled in accordance with U.S. law.

Furthermore, the language included in 802(b)(1)(A) has been reviewed by the FDA, which has given us complete assurance that this law will apply to the export of all OTC and prescription drugs, as long as the drugs are legally marketable in one of the countries mentioned in 802(b)(1)(A), subsections (i) and (ii). This legislation does not require drugs to receive affirmative marketing approval if the laws of one of the countries mentioned in the bill do not require it.

The framers of section 801(f)(1) and (2) mean this section to allow the export of FDA approved products, which are not approved in a country mentioned in 802(b)(1)(A)(i) and (ii), to be exported directly to a country with a label required by that country. With the importing country's label, the product being shipped will not be regarded as misbranded or unapproved, specifically in respect to section 505 of the FD&C Act. Section 801(e)(1) of the FD&C Act states that "a food, drug, device, or cosmetic intended for export shall not be deemed to be adulterated or misbranded under this Act—". Clearly, the framers of the amendments included in H.R. 3019 mean section (f)(1) and (2) to follow the language in 801(e)(1) and allow for the export of products from the United States with a label which accords to the specifications of the foreign manufacturer without becoming misbranded. Furthermore, it is definitely the intention of the framers of this amendment that section 801 and 802 are not additive. In other words, products being exported under 802 do not have to meet the requirements of 801, with the exception of 801(e)(1), subsection A through D.

The framers did not intend to limit or otherwise restrict the export of animal drugs, insulin, or antibiotics. It is my understanding that there is a possibility that 801(f) (1) and (2) can be read to limit the export of these products, and that was certainly not the intent of this Member, or other Members of this conference. It is my hope that the FDA will accommodate the concerns voiced on this section for these products. Before the end of this Congress, I have been told by the Commerce Committee that we will address this issue in a technical amendment.

I would also like to address the section dealing with products for the diagnosis, prevention, or treatment of a disease which is not of significant prevalence in the United States. Section 802(e)(1) is clearly meant to be another avenue by which companies, can export

products. Products exported under this section need not meet the requirements of section 801.

Devices were also of major concern to the conferees. Devices were specifically not included in 802(b)(2), because the current FDA practice of allowing for the export of devices that have an approved IDE is acceptable to the conferees. It is important to note here that this section has to do only with drugs not approved in the United States, or in one of the countries mentioned in 802(b)(1)(A), subsections, (i) and (ii). As I understand the current procedure, devices can be shipped after being reviewed by the FDA to other nations if they have an IDE and not a general approval.

Last, I would like to address section 802(f)(5). Again, these are labeling requirements for exporting products approved in the so-called tier one countries mentioned in 802(b)(1)(A), subsections (i) and (ii) to countries not mentioned in that section. It is most certainly the understanding of the conferees that this section is to be interpreted as written only for those countries which are not tier one countries. Furthermore, it is the intention of the conferees that this section requires the Secretary to consult with the appropriate health official before making a finding which might necessitate the stopping of exporting these products.

I am sure that we will revisit this issue in the future. Frankly, if it were up to me, there would be almost no restrictions on the export of medical products to nations which allow them for sale. In my mind, the job of the FDA is to protect the health and safety of the United States, and it is not to play health product policeman to the rest of the world. If a product is manufactured in accordance with the requirements and specifications of a foreign government, then I believe that it is insane for this country to deny the opportunity to manufacture this product here. No other nation on the face of this earth restricts the manufacture of medical products for export, because they know the value of these manufacturing jobs. While I believe that this is a true compromise, and it is, I also believe that we can and should do more to liberalize the treatment of trade in health products.

It's about time we begin again to export products—not jobs.

Mr. OBEY. Mr. Speaker, I yield the final 3 minutes to the distinguished minority leader, the gentleman from Missouri [Mr. GEPHARDT].

(Mr. GEPHARDT asked and was given permission to revise and extend his remarks.)

Mr. GEPHARDT. Mr. Speaker, my Democratic colleagues and I have come to this Congress for one single fundamental purpose: to fight for the working and middle-class families that are at the very heart of this country.

Throughout this very long and difficult budget process, we have held every policy and every proposal to a simple test: Does it make it easier for the lives of families that are working hard, trying to educate their children, trying to save for a decent retirement; or does it make that struggle even harder?

That is why Democrats fought so hard for a budget that does not cut education, student loans, or summer

jobs, or roll back clean air or water standards or abandon the 100,000 police that we so desperately need on our streets.

This is not a perfect budget. This has been a difficult compromise on both sides. But I believe we have proven that we can cut the budget without cutting education or the environment, that we can rein in runaway spending without ravaging hard-working American families.

Mr. Speaker, while this is a day for both parties to come together, America must not forget that, without the Democratic Party, we would not have kept our commitment to educate America's children, to keep our environment safe and to insure basic health and safety standards in the workplace. Without the Democratic Party, we would not have kept our faith with working families in the middle class.

See, that is what the Democratic Party stands for. That is who we are. And that is why even after 2 Government shutdowns and 13 temporary spending bills, we would never ever give up the fight for education and health care and the environment and safe workplaces.

I will never forget visiting an elementary school in Houston with the gentleman from Texas, GENE GREEN, and the gentlewoman from Texas, SHEILA JACKSON-LEE, seeing the young children playing with computers and learning to read in intensive after-hour classes sponsored by chapter 1, and seeing the hope and the joy of these youngsters in being able to learn. This budget is for those children and their families. Or being in New Orleans and seeing the chapter 1 mothers and their children meeting, and hearing a young mother stand up and saying because of chapter 1 she was getting her high school degree and planned to go to college and said she wanted to get her masters degree because her children were enrolled in chapter 1 in an inner-city school in New Orleans.

So I commend my Republican colleagues for letting us save those commitments and making this budget work for working families.

□ 1630

Today we celebrate a victory, not of party or partisanship, but of America's most basic and important values. Vote for this budget, and let it be a model of the kind of bipartisanship and working together that I will hope will mark the rest of this Congress.

Mr. LIVINGSTON. Mr. Speaker, I yield myself 30 seconds, only to thank the minority leader for his last comments, and to thank the ranking minority member and all of the staff, Republican and Democrat alike, that have worked so hard in the House of Representatives to make this possible, along with all of the Members who have worked hard on the committee and off the committee. They made important contributions as did all of the participants in the Senate as well as in the administration.

There was a lot of work that went into these 16 months, while this effort has gone on. We have a bipartisan bill, and I think in the final analysis, the American people are going to look back and say that Congress did their job under the Constitution, and government is going to get smaller because of it, and the people of America are going to be glad of it.

Mr. Speaker, I am pleased to yield the balance of my time to the gentleman from Texas [Mr. ARMEY], the very distinguished majority leader of the House of Representatives.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Texas [Mr. ARMEY] is recognized for 2¼ minutes.

Mr. ARMEY. Mr. Speaker, I will be brief. The time has come for us to complete this work and have our vote. I would like to take a moment, though, and express my sincere congratulations and appreciation to the chairman and the ranking member of the Committee on Appropriations, and to all the members of the Committee on Appropriations from both sides of the aisle. This has been a long and arduous task.

I could say, parenthetically, there was a time when I thought I might want to be on the Committee on Appropriations. I never had that honor. But I did have the honor this year of working very closely with the Committee on Appropriations throughout all of these 15 months of writing these bills, negotiating these bills, going through all of the discussions at the White House and with the other body, and for whatever it is worth, Mr. Speaker, let me tell the Members, I thank the Lord that I will never be on the Committee on Appropriations, while I express, again, my appreciation for those Members who stayed with the task.

Mr. Speaker, this is a good bill for America. I just enjoyed listening to the minority leader, my good friend, the gentleman from Missouri [Mr. GEPHARDT], speak, as he does, for his vision for what is good for the American people; express again, as he does, his belief that what is good for the American people can be found in more government programs.

We, too, express our vision for what is good for the American people, and this expression of vision is that the American people need relief from the burdens of the excessive size of government programs, so we bring forward here a bill that represents \$30 billion less than the President's request, \$23 billion less than what was spent last year; a bill that conforms with the budget that we all voted on just a few short months ago, and settles itself within the discretionary limits imposed and accepted by that budget.

Mr. Speaker, it is good work, it is good work that reflects a commitment to the American people. We, too, love the future of our children and your children, and we love that future within the discipline and the responsibility of a Federal Government that is determined to live within its means, bring



itself to balance, and give relief from the burden of excessive government taxation.

Mr. Speaker, I congratulate the committee again, and I ask all my Members, appreciate the good work, appreciate the victory for the American people, appreciate the future it promises for the American children: Vote "yes."

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in opposition to the language in the omnibus appropriations bill that would repeal section 415 of the VA, HUD, Independent Agencies Appropriations Act for fiscal year 1988, also known as the Frost-Leland amendment.

Introduced by the late Congressman Mickey Leland, the provision specifically prohibits the use of Federal funds to demolish public housing units at Allen Parkway Village, a public housing project in my congressional district of Houston, TX.

The language contained in the 1996 omnibus appropriations bill repeals this provision and states that the Housing Authority of the city of Houston may proceed with the demolition and rehabilitation of Allen Parkway Village, which according to the conferees is being delayed by the section 106 process under the National Historic Preservation Act of 1966. While the conferees do not amend the section 106 process, they do state that "the conferees do not believe that it is good policy to require the preservation of buildings unsuitable for modern life at the expense of low income families in dire need of safe, decent, and affordable housing." I agree, however, the determination should be made through an inclusive community process which has not yet occurred in Houston fully.

I am very concerned about the fact that no hearings were held on this issue nor was I consulted about this language which affects my congressional district. I have spent a great deal of time working on this issue together with the residents of Allen Parkway Village, the mayor of the city of Houston, the housing authority of the city of Houston, and the U.S. Department of Housing and Urban Development.

I believe that it is necessary to clarify the issue of the importance of historic preservation to the cultural heritage of our Nation. Allen Parkway Village was placed on the National Register of Historic Places in 1988 and I can assure you that its historic significance is recognized in Houston. Historic preservation guidelines and regulations contained in current law have not delayed the process of rehabilitating facilities such as Allen Parkway Village in Houston. Indeed, the section 106 historic preservation process was completed in December of last year. I agree with preservation and demolition with planning. This sneak attack repeal doesn't bring the community together, it only divides it.

I can assure you that in no way has the importance of historic preservation stood in the way of the need to provide affordable housing for low-income families. That is our goal and it is one that all parties in this debate agree upon. We can provide affordable, quality, and public housing for the citizens of Houston and we can do so while respecting the traditions and history of Houston's past and by respecting an inclusive community planning process.

Mr. FAZIO of California. Mr. Speaker, I rise today to offer my support for the omnibus ap-

propriations agreement before us. I am gratified that many of the deepest cuts proposed by the Republican leadership have been eliminated and the environmental riders have been dropped from the conference report. The conference report also overturns a recently-enacted law that requires that HIV-positive personnel serving in the armed forces be discharged. While not perfect, this compromise bill goes a long way toward meeting the policy goals of the President and negotiators on both sides.

In spite of the fact that this bill is 7 months overdue, H.R. 3019 contains some provisions that are worthy of our support. The bill's funding levels for these provisions reflect the bipartisan support of many millions of Americans.

I am particularly happy to vote for an omnibus package that funds vital education programs such as Title I and the Safe and Drug Free Schools Program. The conference report provides \$2.8 billion more for education funding than the House bill, which included a 17-percent reduction for the 1995 levels.

Title I, which provides extra academic assistance to help schools with large numbers of poor and disadvantaged children, would have been cut by more than \$1 billion. In my State, this would have meant reductions of almost \$130 million. In Sacramento, the school district would have been forced to eliminate as much as \$65,000 for some of the neediest schools. Seven to eight schools and approximately 100 teachers positions would have been eliminated.

Reading tutorial sites would have been closed and educational technology programs would have been eliminated affecting almost 3,300 students.

I am thankful that these essential programs will continue to serve the children of the Sacramento school district for another school year.

I am also glad to see that my colleagues recognized the importance of the Cops-on-the-Beat Program. Rural communities and small towns like the ones that I represent, receive about half of the grants awarded in the COPS Program. Cities like Williams, Yuba City, and Red Bluff have all received the funds to hire more law enforcement officers. Rural crime is a serious, but often overlooked, issue. Our citizens want to feel safe from the threat of crime and COPS is the best way to achieve that.

In addition, towns like Vacaville and Dixon have been able to purchase computers and the related technology necessary to deploy additional officers.

New officers are able to walk local beats, get to know small business people and neighborhood residents, and gain the respect of the communities where they work.

Had the majority succeeded in turning the COPS Program into a large and potentially wasteful block-grant program, small communities in my district would still be waiting for reinforcements. I believe that a vote for the omnibus package is a vote for more police officers and less crime.

There are also several environmental provisions in this bill that are worth mentioning.

H.R. 3019 preserves the congressional intent of the California Desert Protection Act passed in the last Congress by allowing continued protection of the Mojave Desert.

Both in the Appropriations Committee and on the House floor, I offered amendments to the Interior appropriations measure to make

sure that the Mojave was properly managed so that this valuable resource would be adequately maintained for future generations to enjoy. With significant bipartisan support, Congress passed the California Desert Protection Act which gave the National Park Service and not the Bureau of Land Management jurisdiction over the desert.

The back-door attempt to repeal this part of the Desert Protection Act was short-sighted and ran counter to Congress's commitment to environmental protection. The original act was subject to open and prolonged debate. If the Republican majority in this new Congress sees fit to change that, it should follow the same process, and not attempt to short-cut the legislative process through an appropriations measure.

I urged President Clinton not to sign the Interior appropriations bill unless this environmental rider was removed. While the bill still includes the rider, it allows the President to waive its implementation if he so desires. President Clinton has assured me that he is committed to doing so. I want to commend him for standing firm on this issue and to commend the conferees for acknowledging its significance.

The Park Service is ready and willing to work with affected interest groups to insure the Mojave Desert is properly managed. The Park Service, and not the Bureau of Land Management, is the appropriate guardian to insure that in years to come, the fragile ecosystem in the desert is not unbalanced by unbridled abuse of this precious resource.

I'm glad to say that the omnibus bill that we are voting for today settles the debate for another fiscal year in favor of America's children and teachers, safety in our communities, and our environment.

But ultimately, these last 7 months have been an unnecessary political exercise.

These last 7 months have really been more about partisan grand-standing and ideological purity than about seeking bipartisan compromise on behalf of all Americans.

I believe that as this compromise shows, we can make our Government a leaner and more effective one without balancing the budget on the backs of America's working families, senior citizens, the environment, and particularly, our children.

This is a good agreement but it is one that we could have and should have passed 7 months ago. I urge my colleagues to support this omnibus appropriations bill.

Mr. CASTLE. Mr. Speaker, I rise in strong support of H.R. 3019, the omnibus appropriations bill for fiscal year 1996. This bill is a fair compromise that reduces Government spending and keeps us on course to a balanced budget, while also providing adequate funding for education, environmental and other important programs. I applaud Chairman LIVINGSTON and the members of the Appropriations Committee for their hard work in forging this important compromise that allows our Government to perform its necessary duties within the limits we need to achieve a balanced budget.

With the completion of this bill, we will save the taxpayers \$23 billion from the 1995 funding levels. Equally as important, the reductions in this bill are more fairly distributed to allow for improved funding for education, housing, environmental and other important programs.

I want to thank the Appropriations Committee for addressing a number of concerns that

I and other Members had expressed about the funding levels for title I education support for disadvantaged students, antidrug education through safe and drug-free schools; fighting drugs in public housing; and funding for the Environmental Protection Agency. These programs will receive solid funding levels in this legislation.

Mr. Speaker, I believe the top priority of this Congress must continue to be achieving a balanced budget. Balancing the budget requires limiting spending for virtually every program. Tough decisions have to be made. I have not always agreed with the priorities and allocations made for various programs. But this bill is a truly fair compromise that meets our most important criteria—balancing the budget—but in a fair and equitable manner.

Again, I applaud the work of the negotiators and the Appropriations Committee and staff. I urge passage of the 1996 omnibus appropriations bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would like to express my sincere thanks to my Democratic colleagues from both Chambers of this Congress who were members of the conference committee. I know their work hours were long and the task difficult. I congratulate each of them for their contribution to this victory of people and good balanced policy over narrow-minded extremism. Each of them fought for and won an addition \$5 billion for education, Head Start, the EPA, and other important programs. I thank you and I am sure this Nation's work force, children, and students thank you.

I would also like to thank President Clinton for holding firm to his principles and the fundamental beliefs of this Democratic party. Though some would have you believe otherwise, the President has shown that it is possible to hold to these beliefs and balance the budget. It encourages me to see the President stand firm and not allow the destruction of our environment and to fight the Republicans' antienvironmental proposals. Thanks to him there will be no increased logging in the Tongass National Forest. There will be no moratorium on listing additional endangered species and there will be sufficient money for the EPA to successfully protect the environment that we all live in.

In spite of this, Mr. Speaker, with the school year quickly approaching its conclusion, this Congress has not done all that it could to promote summer employment for our Nation's disadvantaged youth who are most in need.

In H.R. 3019, the omnibus appropriations for fiscal year 1996's reconciliation package before us, the funding allocations agreed upon will only allow a paltry \$625 million for the youth summer employment portion of the Job Training Partnership Act [JTPA] appropriations for 1996. This is a \$242 million cut when compared to last year's funding level of \$867 million.

Had the summer jobs portion of the JTPA appropriations been held to last year's levels, Houston would have received \$9.1 million. This level of funding would have resulted in over 6,000 jobs for Houston youth.

These are our children. They are not a world away but only a few blocks from where I am standing. They live in the very neighborhoods that surround this Capitol Building. They are in the streets of the cities and towns each of us represents. They are from all races, religions, and cultures. They are the

faces of young, bright, creative, optimistic people who we see every day. They share only one thing in common. They are unfortunate enough to have been born into the families of our Nation's poor.

I know from personal experience that a summer job for those young people enrolled by JTPA-sponsored projects around this country is more than just an opportunity to save money for the next school year, it is an opportunity to learn and gain valuable experience which is outside of their limited life experiences.

The stinginess of this Congress was by no means limited to our Nation's youth, it extends into the other areas: the funding for training dislocated workers was reduced \$129 million from last year's funding levels, funds for adult training programs were cut by \$147 million in the conference reconciliation package before us today.

The only positive that I can speak on regarding the labor portion of this bill is the \$16 million increase in the funding for the Jobs Corps.

With regards to education, I am pleased that once again, because of the President's leadership, this conference report provides \$2.8 billion more for education funding than the House-passed bill, and provides full or close to full funding for the President's National Service Program, the Goals 2000 educational initiatives, and title I funding for disadvantaged children in local school districts. In spite of the attempts by bean-counting Republicans, the Drug-Free School Program and Head Start will be funded at fiscal year 1995 levels.

I am disturbed, however, by the cuts in student financial assistance. The conference report provides \$6.26 billion for student financial aid, which is a cut of \$1.36 billion from fiscal year 1995. For Pell Grants, the conference report provides \$4.9 billion, which is \$1.26 billion less than fiscal year 1995. Obviously my Republican colleagues have forgotten what it costs to send children to college. The cost of college tuition are rising higher than ever before, and the number of people requesting aide are higher too. Just when the future leaders, scientists and artists of the next generation, this country's very future, need our help more than ever, my Republican colleagues want to deny them that assistance.

#### LEGAL SERVICES

This conference report would provide \$278 million for legal services, which is a \$122 million reduction from fiscal year 1995. The Legal Services Corporation provides an invaluable service to the indigent in this country, and I am concerned that this cut will compromise the ability of the poor to obtain good decent legal counsel. The sixth amendment of the Constitution guarantees every individual the right to legal counsel, but by brutally cutting the LCS budget, we are effectively denying this constitutional right to those who are served by it. In addition, this conference report contains the same prohibition as in the December conference report, prohibiting the use of funds, either public or private, for attorneys to participate in abortion litigation, redistricting, welfare reform, union organizing and strikes, and any class action suits.

#### TITLE X

I am pleased that the this conference report provides the title X family Planning Program with the same level of funding as fiscal year 1995. The title X Family Planning Program

provides a valuable service for low-income clients by offering funding for contraceptive health services, pregnancy prevention, abstinence, and STD screening. Prevention costs a lot less than cure, and the money spent on this program saves this country not only money, but the social capital of our youth and low-income citizens as well.

#### HIV SERVICEMEMBER DISCHARGE

I am very pleased that the conference report overturns the recently enacted law that requires the discharge or retirement of military personnel who test positive for the HIV virus.

This unnecessary measure was neither sought nor supported by the Department of Defense. Both the Assistant Secretary for Force Management Policy and the Army's Deputy Chief of Staff for Personnel have stated that the provision would do nothing to improve military readiness while depriving the Armed Forces of experienced individuals who are ready and able to perform their assigned duties. I am thankful that the conferees had the wisdom to overturn this unwise and unjust provision.

Mr. Speaker, I will vote in favor of this package, not because I believe it to be the very best that we could do for our Nation, but because it is the best that the 104th Congress could accomplish. In a recent interview of Lester Thurow, the well renowned economist at MIT, he ably points out the folly of what this Congress has been doing. He argues that the biggest threat to the long-term economic health of this Nation is not Japan nor is it regulation, but rather the lack of investment we are making in the basic elements of this Nation's social system: infrastructure, education, R&D, and most importantly—people. It is these things which will secure the future of our Nation's economic and global status. We Democrats understand this and so does the President. I can only hope that Republican Members eventually do to.

Ms. FURSE. Mr. Speaker, I rise today in support of the conference report on H.R. 3019, omnibus appropriations for fiscal year 1996. I am pleased that the conference report includes over \$1.2 billion in emergency disaster relief funding. These funds will go a long way toward helping communities in my region recover from the devastating flooding earlier this year.

In February, when the serious flooding began in Oregon, I returned from Washington, DC, to tour the flooded areas with the National Guard. It was my goal to do everything in my power to assist people in need and I am very proud of my staff's efforts to help the thousands of Oregonians who were suffering.

The first few days of the flooding were a flurry of activity. I contacted each house in my congressional district with vital information on where to get help, secured a Federal disaster declaration for each county, held special briefings for local officials on where to obtain emergency assistance, and established a mobile operations center. My office worked emergency extended hours to ensure that people got the help they needed, when they needed it. I toured the flooded areas a second time—this time accompanied by James Lee Witt, the Director of FEMA, and Rodney Slater, the Federal Highway Administration Director—and personally urged them to get assistance to Oregon as quickly as possible.

In the aftermath of the flooding, I held emergency mobile offices in 13 cities to reach out

and help Oregonians in need. I conducted four formal town meetings and toured the flooded areas for a third time. It was so heartening to see Oregonians joining together, neighbor to neighbor, to deal with the flooding. Today, my office remains intimately involved in damage assessment and recovery efforts at the local level.

Earlier this year, I was one of the two Democrats in the House to support a bill which included nearly \$1 billion in disaster relief funding primarily for Oregon and the Pacific Northwest. Getting aid to my district is of paramount importance, and I originally supported this bill despite my serious reservations with other provisions unrelated to disaster assistance. My main goal was to help people recover as soon as possible from the devastation caused by the floods.

I am pleased that the final bill before the House includes over \$1.2 billion in disaster assistance. These funds will go a long way toward helping restore our communities in Oregon. I would like to highlight a few programs which will benefit my constituents:

Over \$100 million for watershed, flood control, and emergency conservation efforts; \$300 million for highways and roads; \$165 million for dikes and other Army Corps of Engineer projects; \$150 million in FEMA disaster assistance programs; and \$100 million in SBA assistance, as well as CDBG funds to help communities meet their local match requirements for FEMA programs.

Even with these funds, many communities still have a long way to go before people are back on their feet. I will continue to work closely with citizen groups and local officials to help Oregon recover from its worst flood in 30 years. I appreciate the hard work of the entire Oregon delegation in making this disaster relief package a reality, and urge my colleagues to vote in favor of the conference report on H.R. 3019 today.

Mr. OWENS. Mr. Speaker, the omnibus appropriations for fiscal year 1996 (H.R. 3019) represents a partial victory for common sense and the Democratic Party. We have forced the Republican Majority to cancel devastating cuts in programs such as Title I; Head Start; Drug-Free and Safe Schools; the Summer Youth Jobs Program and the School-To-Work Program. The children of America have won a temporary victory and vital funding will now flow smoothly.

We applaud this incomplete but positive step forward; however, the fact that the Appropriations Committee has usurped the power of the authorizing Economic and Educational Opportunities Committee and promulgated reactionary setbacks for educational reform must be exposed. If the closed door, secretive actions of the Appropriations Committee are not curbed we will soon be confronted with a situation where all authorizing committees are rendered irrelevant and obsolete.

The scenario which began with the irresponsible campaign to abolish the Department of Education has now reached a backdoor climax through the appropriations process. By gutting the authorizing education reform legislation passed in the 103d Congress, the powerful Appropriations Committee has removed the reason for the continued existence of the DOE.

The results of all existing public opinion polls indicate that an explosion of public indignation is likely to greet this monstrous result of

Republican blackmail at the negotiating table. Voters have consistently ranked education as one of the top three priorities for public funding.

The following is a summary of the scarred and mangled education reform program left after the illegal actions of the Appropriations Committee:

The conference agreement amends the Goals 2000: Educate America Act. Specifically, the agreement includes language: Which permits school districts, in States that elect not to participate in the Goals 2000 program, to apply directly to the Secretary of Education for Goals 2000 funding, if the State education agency approves; eliminates the requirement that States submit their improvement plans to the Secretary of Education for approval; deletes the requirement for the composition of State and local panels that develop State and local improvement plans; eliminates the National Education Standards and Improvement Council; removes the requirement for States to develop opportunity-to-learn standards; and clarifies that no State, local education agency, or school shall be required, as a condition of receiving assistance under the title to provide outcomes-based education, or school-based health clinics.

A special and particular target of this arrogant usurpation of the powers of the authorizing Education Committee was the requirement for States to develop opportunity-to-learn standards. Like all standards this was a voluntary one and merely called for the inclusion of a discussion of the steps being taken to provide adequate resources for learning to the students being required to take tests that are compared from State to State.

This stealth assassination of the concept means that the months of debate that took place during the authorizing process will be thrown into the garbage and at the Federal level there will be no discussions of the obligations of States to provide safe buildings, up-to-date library books, science labs and qualified teachers. Black children will be tested and tested until they are driven from the education process. But no one will be held accountable for not providing adequate resources.

The group with the least knowledge and wisdom about educational reform has assumed the greatest amount of decisionmaking power and prevailed in removing any chance at the establishment of accountability through visibility.

For the moment the neanderthals have triumphed; however, when pearls are thrown into a pig pen and the boars gang up to urinate on the pearls, the value of the pearls is in no way diminished. The power of the idea of opportunity-to-learn standards will one day soon be resurrected.

Mrs. SMITH of Washington. Mr. Speaker, I rise in support of this legislation. Earlier this year, the Pacific Northwest experienced a flood event of devastating proportions. The resources provided in this bill for disaster relief will go a long way toward rebuilding the infrastructure in southwest Washington.

For instance, the Gifford Pinchot National Forest took a brutal beating by the flood. Roads, bridges and trails were obliterated by the flood waters, causing an estimated \$13 million in damage. Many of these roads are key links to Mt. St. Helens National Volcanic Monument, an important tourist attraction in

my district. Tourism related businesses in places like Randle and Cougar rely on the roads for their livelihood. The assistance in this bill will go a long way toward reopening access in the Gifford Pinchot.

In addition, the funding for the Fish and Wildlife Service will help repair our wildlife refuges that provide habitat for endangered species like the Columbia whitetailed deer in Wahkiakum County.

The Corps of Engineers also are provided significant funds to repair important dikes and levees. I am hopeful that some of these funds can be used for the design, dredging and monitoring of the relief channel at Willapa Harbor. This is an extremely important project for the people in Pacific County because it controls the erosion problem and restores navigation at Willapa Harbor.

With respect to the offsets in this bill, the Federal Emergency Management Agency has assured me that they have the necessary resources to take care of the human needs in the Pacific Northwest.

I urge my colleagues to support this legislation.

Mr. ALLARD. Mr. Speaker, I want to commend Chairman LIVINGSTON. He has done the best job he can in negotiations with the Senate and the White House.

There is no question that this bill constitutes progress in the battle to reduce the deficit. With this and the other appropriations bills, budget authority is \$23 billion below last year's level. This is an improvement over normal congressional spending patterns.

I will vote for this bill, but I want to make very clear my view that we should move faster in downsizing the Government. I regard this only as a down payment.

With Coloradan and other families struggling under an average tax burden of 38 percent of income, it is clear to me that there is still a great deal of work to be done.

Last year when we began balancing the budget, I wanted to do it in 5 years. I also wanted to give the families of Colorado tax relief, and shift money and power out of Washington and back to States and local communities.

We were told that this could not be done. We were told we must compromise with the Senate and with the President. So we agreed to a 7 year plan, only to have it vetoed by President Clinton.

President Clinton wanted a budget that would never balance. All he was willing to put on the table was a plan that pretends to balance, but puts all the cuts off until after the turn of the century when they will never happen.

We got no tax relief for families. Tax Freedom Day remains May 7, the latest day ever. The typical American family now pays more in total taxes than it spends on food, clothing, and shelter combined. I realize the Appropriations Committee has jurisdiction over only the discretionary portions of this bill, but the fact remains that it spends entitlement funds. In fact, in the health portion of this bill, over 75 percent is for mandatory entitlement programs, including Medicare and Medicaid. This House wants to reform these programs. President Clinton has vetoed reform.

Medicare is in trouble. Last year the Clinton administration projected that Medicare would go broke in 2002; we now know it will be much sooner, before the year 2000. What

have we done? Nothing. Once again, the tough choices are put off to the future.

It is true that the deficit is coming down. But it could and should be coming down much faster. Let us not forget, each of these deficits is added on top of a \$5 trillion national debt that keeps getting bigger. We should be reforming entitlements, and we should be cutting more in 1996.

Much of the deficit reduction that is occurring is due to lower interest rates and lower inflation. In fact, the CBO now tells us that we will save \$288 billion over the next 7 years in lower interest payments on items such as the debt and CPI adjustments to entitlements.

We should be using this fiscal dividend to get to balance much sooner and put an end to deficits for good. Instead we are spending much of it. This is a testament to the tremendous spending bias of Washington, DC.

It is time to dramatically downsize this Government. We need to send the money back home to States, communities, and families. While this bill is a downpayment, I am not ready to declare victory. There is much work to be done.

Mr. McKEON. Mr. Speaker, I rise today to briefly address a particular provision contained in H.R. 3019 which I believe should be implemented with careful attention by the Department of Education.

The provision renders institutions of higher education ineligible for the Pell Grant Program if they have been eliminated from the student loan programs due to high default rates. Default rate calculations have been the subject of much debate and I anticipate that the debate will continue during the next reauthorization of the Higher Education Act. As we all know, the Department of Education has had problems calculating these rates accurately in the past and I would not want to see an institution and its students harmed due to an incorrect calculation. I also believe that the Department of Education, by working in consultation with institutions, should implement the exception categories included in the provision in an expeditious and cost effective manner. Institutions should not be forced to spend huge sums to prove that they, in fact, qualify under the exception categories in the provision. A careful and thoughtful implementation process on the part of the Department of Education will help avoid many of the problems encountered in the past.

Again, we will be closely reviewing these types of important issues as we begin the process of reauthorizing the Higher Education Act.

Ms. PELOSI. Mr. Speaker, today we have before the House an agreement on the remaining spending bills for fiscal year 1996. This bill reflects significant movement in the right direction. I was pleased to work for many of the President's priorities as a member of the conference committee.

Last year, the Republican Leadership made a conscious decision to hold priority programs for education, job training, and environmental protection hostage to their demands for tax cuts for the wealthy and deep cuts in Medicare and Medicaid. The Gingrich agenda has thrown the congressional budget process into chaos.

This conference agreement is a great improvement over the extreme House bill. Yet, the priorities in spending for fiscal year 1996 are difficult to justify. At the same time the ma-

jority is providing \$7 billion more than requested by the Pentagon for defense programs, they are cutting deeply into priority programs which invest in our Nation's future.

Let me comment specifically on the conference agreement on the Labor-HHS-Education appropriations bill. This bill provides for some of the highest priority investments for our future—the health and education of the American people. The bill provides \$64.5 billion in discretionary spending, a decrease of \$2.6 billion from comparable 1995 spending and \$7.5 billion less than the President's request.

It is difficult not to comment on the judgement of moving \$7 billion from priority education, job training, and health programs to new and unrequested defense spending. I clearly have a different view on how we should measure the strength of America.

Nonetheless, The President must be commended for standing strong and insisting that the egregious cuts in the House bill be overturned to restore much needed funding for education, job training, and environmental protection. President Clinton's leadership on these priority domestic programs has made a real difference.

The 17 percent cut to compensatory education has been reversed. The 57 percent cut to Safe and Drug Free Schools has been reversed. The elimination of Goals 2000 has been reversed. The elimination of the summer youth employment program has been reversed. Job training has been restored for more than 100,000 displaced American workers. Worker protections have been restored. Funding for the Ryan White CARE program has been increased. And, of the 17 riders to which the administration strongly objected 14 have been dropped and 3 have been modified.

The majority of anti-environment riders to the bill have been removed or the President has been given waiver authority to stop their implementation. We should never again try to use the budget process as the engine for bad environmental policy that does not have the fuel to pass Congress standing alone.

In addition, the bill restores the community policing program to fund 100,000 new police. And, the bill overturns the recently enacted requirement that HIV-infected service members be discharged. These changes are a great step forward.

While this bill is a great improvement over the House-passed bill, it does contain two unjustified provisions to assist New Hampshire and Louisiana with their Medicaid programs. At the same time, very well justified provisions to assist California public hospitals were not considered. My hope is that the situation in California can be addressed in other legislation.

Mr. Speaker, now is the time for the House leadership to commit itself to bipartisan solutions and an orderly budget process for 1997 so that we never again put the American people through the uncertainty reflected in passing the 1996 spending bills.

Mr. GORDON. Mr. Speaker, I rise in support of this bill. However, I am disappointed that we were not able to reach a compromise on capping the direct lending program.

The Clinton administration has been right on the mark for its continued advocacy on behalf of students and their families with respect to education funding. As I, and 25 other Demo-

crats wrote to the President in a letter last week, our focus has rightfully been on title I, Head Start, and raising the level of student aid.

However, the preoccupation with the new Federal direct student loan program is dramatically misplaced because direct lending does not increase the level of student aid or the quality of education. Direct lending is simply one administrative mechanism for delivering that aid.

It is unfortunate that we couldn't come up with a 40 percent compromise cap on direct lending to allow for a fair test of this new government-run program with the proven guaranteed student loan program.

I want to acknowledge the careful deliberation direct lending has received in this Congress and the strong Democratic opposition that has always followed direct lending. In fact, direct lending was pushed through Congress without a committee hearing in the House in 1993 and despite the misgivings of a bipartisan majority of the body. I am confident that the current direct loan program implementation plan could not survive a stand-alone vote in this Congress or the last Congress.

We have learned a lot over the last year.

The independent and nonpartisan Advisory Committee on Student Financial Assistance has cited the fact that the Department has risked the integrity of the direct loan program by allowing schools with high defaults and questionable records into the program.

We have confirmed that direct lending will add \$350 billion in unnecessary borrowing added to the national debt.

And we know that there are no plans for the direct loan program to include the kind of risk-sharing on defaults included in the guaranteed student loan program that helps protect taxpayers.

Finally, we know—not only from the Congressional Budget Office [CBO] but also from the Congressional Research Service [CRS]—that in an apples-to-apples comparison, the direct loan program does not save tax dollars. Period.

A cap on direct lending to do a fair test with the schools currently in the program is more than fair—and is still the right thing to do.

A 40 percent cap test period would give the Department of Education time to focus on other management problems, such as the recent backlog in processing the basic financial aid form. I have no doubt that hundreds of individuals at the Department are working hard to solve these problems, but the fact is they have a lot of work to do. This is not the time to give them more responsibility.

The best student loan program for the next generation of America's students should include flexible repayment plans that make sense, incentives and risks for loan administrators who must make the program accountable to taxpayers, and improved safeguards in program integrity. The 40 percent compromise on direct lending would have given both loan programs a chance to deliver on these objectives.

Mr. SMITH of New Jersey. Mr. Speaker, I should also say that I share some of the frustration of my colleagues. This legislation is the result of a compromise. As with every compromise, there are things in the bill I would have preferred not to have. The bill also omits some provisions I would have liked to see included. On balance, however, Chairman LIVINGSTON and our leadership have brought

back a victory for the pro-life majority in the House, and a victory for the protection of unborn children.

Our most significant victory is that the conference report does not include the Hatfield language, which was included in the Senate bill and would have effectively written a blank check to the international abortion industry.

Last year the House voted several times to condition U.S. funding for population control activities on the Mexico City policy—a prohibition of funding for foreign organizations that perform or promote abortion. The House also voted to condition its support for the United Nations Population Fund [UNFPA] on an end to UNFPA support to the forced abortion policy of the People's Republic of China.

The House provisions recognized that money is fungible. The fiction advanced by the other side—that international population control agencies can use bookkeeping devices to spend their money on abortions, and our money on everything else—ignores this reality. United States taxpayers do not want their money going to organizations which support the PRC program that includes forced abortion which themselves perform abortions, or which seek to export abortions to countries that currently protect their unborn children. If population-control organizations insist that they want population money only for family planning activities unrelated to abortion, they could do so under the House provisions by getting out of the abortion business.

The Mexico City policy did not and would not lessen the overall U.S. contribution to international family planning. Almost all of the organizations which had received funding agreed to the terms of the policy and continued to receive funding. But the Mexico City policy has prevented these U.S. dollars from being used to enrich the international abortion lobby or to support its self-serving efforts to legalize abortion as a method of birth control.

Unfortunately, pro-abortion organizations would not let the foreign aid appropriations bill go forward unless they can get U.S. dollars and continue to pressure other nations to sanction abortion on demand—pressure which would appear to be endorsed by the United States because these groups receive substantial U.S. financial support.

For this reason, the House and Senate reached an impasse in negotiations, even though the House made several concessions in its pro-life language.

The issue was finally resolved by compromising not on abortion policy itself, but on the level of funding and the timing of expenditures. We dropped the Mexico City language in favor of a 35 percent cut in funds for international population control, and a provision that only one-fifteenth of the funding could be obligated in each of the 15 months for which fiscal year 96 funds will be available.

These provisions were designed to give both sides time—and an incentive—to negotiate further on the abortion issue. But the largest recipients of grants for population programs, and some of their supporters in Congress, instead chose to make wild and unsubstantiated charges against the compromise. Pro-abortion organizations were even accusing pro-life Members of Congress of causing more abortions. They had a simple formula: less money for abortion providers means more abortions, and more money for abortion providers means fewer abortions. Mr. Speaker,

the conferees have recognized this assertion for the nonsense that it is, and they have omitted the pro-abortion Senate language.

Mr. Speaker, U.S. spending for population control has gone up dramatically in the last 3 years—from \$325 million in fiscal year 1992 to about \$550 million in fiscal year 1995—even in a time when money has been generally tight and many Federal expenditures have stayed level or declined. Even aside from concerns about the abortion issue, the Clinton administration has been giving disproportionate emphasis to population control as a solution to all problems. Our first foreign aid priorities should be programs that save the lives of children, protect refugees who are fleeing persecution, and create free and self-sustaining economic systems for people in emerging nations. The logic of disproportionate spending on population control seems to be that people will not need help if they are not around. Not only is this policy morally questionable, but it will not work.

The reduced funding level for population programs in fiscal year 1996 under the recent compromise will be about \$356 million. This is substantially more than the United States spent on all population control programs in fiscal year 1992, or in any other year prior to the dramatic increases of the Clinton era.

Finally, and most important, the population-control lobby can eliminate the statutory ceiling imposed by the compromise—simply by agreeing to reasonable restrictions on international abortion-related spending. All we want is to re-erect a wall of separation between abortion and family planning.

Mr. Speaker, I also want to call attention to another important provision of the conference report: the Coates-Snowe-DeLay amendment, which is necessary to preserve the accreditation of medical schools that do not require their students to actively perform abortions. At the urging of the pro-abortion movement the ACGME imposed a rule that would have frozen out of the profession those students who would not do abortions. This provision will effectively reverse that coercive, anti-life, power play by the abortion industry.

Mr. Speaker, I would have liked to see even more pro-life provisions in the conference report. There are also other important omissions. Mr. GILMAN submitted a list of 18 non-controversial provision from H.R. 1561, the Foreign Relations Authorization Act. These important provisions included the MacBride principles for justice in Northern Ireland, the Humanitarian Aid Corridors Act, the restoration of asylum eligibility for forced abortion victims, and the extension of the Lautenberg amendment which has saved so many Jews and evangelical Christians in the former Soviet Union from persecution. Unfortunately, President Clinton saw fit to veto the bill that contained these important human rights provisions. I believe they should have been included in this conference report, especially because the report includes a waiver of the statutory requirement that there be an authorization for the State Department during fiscal year 1996.

But I know the going was tough—the majority of the Senate conferees and the White House were both against us, especially on the pro-life issues—and I congratulate Chairman LIVINGSTON and the leadership on their firm stand in favor of human life. I urge my colleagues to vote “yes.”

Mr. KOLBE. Mr. Speaker, I spoke this afternoon about the need to put fiscal year 1996 appropriation issues behind us. With today's momentous vote on H.R. 3019 we have accomplished this. I wanted to speak a little more about an amendment I authored during markup of the Interior appropriations bill, and which is included in section 335 of the Interior Department portion of H.R. 3019.

The Kolbe amendment on Mount Graham is quite simple. It states that alternative site 2, which was issued by the Forest Service, is authorized and approved, and that the site—alternate 2—shall be deemed to be consistent with and permissible under the terms of the Arizona-Idaho Conservation Act of 1988 (AICA), Public Law 100-696. What does this mean? The Kolbe amendment reaffirms what many people believed; that the alternative site chosen by the Forest Service for the location of the large binocular telescope [LBT] is in compliance with the authorizing language.

Why was this language necessary? To clarify, once and for all, that the alternative site for the large binocular telescope falls within the parameters established by Congress for the location of the Mount Graham telescopes. In fact, during the entire period in which the Forest Service defended itself against the lawsuits filed by various environmental groups, U.S. Attorney Janet A. Napolitano argued in both U.S. District Court and before the Ninth Circuit Court of Appeals that “\* \* \* [the site] satisfies the statutory requirement that the three telescopes comprising the Observatory, including the LBT, not exceed 24 acres within the marked boundary.” “The site” she argued, “also conforms to the requirements of Reasonable and Prudent Alternative 3 \* \* \*.” U.S. Attorney Napolitano concluded her argument by stating what many of us already knew and understood, “the Approved site [alt 2] is the best site for the long-term survival of the red squirrel.”

The U.S. attorney is not only one who has taken the position which the Kolbe amendment clarifies. Ninth Circuit Court Judge Hall in her dissenting opinion stated:

I think that the AICA confers discretion on the Forest Service to site the telescopes as it sees fit, so long as those locations are within the 24-acre “Site” described in section 601(b) of the AICA, and because I believe we are bound to defer to the Forest Service's own reasonable interpretation of the AICA \* \* \*.

Judge Hall's final comment was:

I find the further delay imposed by today's decision especially regrettable in light of the fact that the FS appears to have chosen to locate the LBT on Peak 10,477 in good faith and for laudable reasons: Peak 10,477, according to the FWS is now the location that would cause the least disruption to the squirrel's habitat.

I couldn't agree more.

I hope the adoption of the Kolbe amendment closes this unfortunate chapter of the Mount Graham Observatory. Alternative site 2 is in compliance with the AICA, and I look forward to the resumption of construction of the LBT. The discoveries that lie in the heavens await us.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

MOTION TO RECOMMIT

Mr. YATES. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore (Mr. LAHOOD). Is the gentleman opposed to the conference report?

Mr. YATES. Absolutely, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. YATES moves to recommit the bill (H.R. 3019) to the committee of conference.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 399, nays 25, not voting 10, as follows:

[Roll No. 135]

YEAS—399

Abercrombie	Clayton	Foglietta
Ackerman	Clement	Foley
Allard	Clinger	Forbes
Andrews	Clyburn	Ford
Archer	Coble	Fowler
Armey	Coburn	Fox
Bachus	Coleman	Frank (MA)
Baker (CA)	Collins (GA)	Franks (CT)
Baker (LA)	Collins (IL)	Franks (NJ)
Baldacci	Collins (MI)	Frelinghuysen
Ballenger	Combest	Frisa
Barcia	Condit	Frost
Barr	Conyers	Furse
Barrett (NE)	Cooley	Gallegly
Barrett (WI)	Costello	Ganske
Bartlett	Cox	Gejdenson
Barton	Coyne	Gekas
Bass	Cramer	Gephardt
Bateman	Crane	Geren
Becerra	Crapo	Gibbons
Beilenson	Cremeans	Gilchrest
Bentsen	Cubin	Gillmor
Bereuter	Cummings	Gilman
Berman	Cunningham	Gingrich
Bevill	Danner	Gonzalez
Bilbray	Davis	Goodlatte
Billakis	Deal	Goodling
Bishop	DeLauro	Gordon
Bliley	DeLay	Goss
Blute	Dellums	Green (TX)
Boehlert	Deutsch	Greene (UT)
Boehner	Diaz-Balart	Greenwood
Bonior	Dickey	Gunderson
Bono	Dicks	Gutierrez
Borski	Dingell	Gutknecht
Boucher	Dixon	Hall (OH)
Brewster	Doggett	Hall (TX)
Browder	Dooley	Hamilton
Brown (CA)	Doolittle	Hansen
Brown (FL)	Doyle	Harman
Brown (OH)	Dreier	Hastert
Brownback	Dunn	Hastings (FL)
Bryant (TN)	Durbin	Hastings (WA)
Bryant (TX)	Edwards	Hayes
Bunn	Ehlers	Hayworth
Bunning	Ehrlich	Hefley
Burr	Emerson	Hefner
Burton	Engel	Heineman
Buyer	English	Herger
Callahan	Ensign	Hilleary
Calvert	Eshoo	Hinchey
Camp	Evans	Hobson
Campbell	Everett	Hoekstra
Canady	Farr	Hoke
Cardin	Fattah	Holden
Castle	Fawell	Horn
Chambliss	Fazio	Hostettler
Chapman	Fields (LA)	Houghton
Chenoweth	Fields (TX)	Hoyer
Christensen	Filner	Hutchinson
Chrysler	Flake	Inglis
Clay	Flanagan	Istook

Jackson (IL)	Mica
Jackson-Lee (TX)	Millender-Scott
Jefferson	McDonald
Johnson (CT)	Miller (CA)
Johnson (SD)	Miller (FL)
Johnson, E. B.	Minge
Johnston	Mink
Kanjorski	Moakley
Kaptur	Molinari
Kasich	Mollohan
Kelly	Montgomery
Kennedy (MA)	Moorhead
Kennedy (RI)	Moran
Kennelly	Morella
Kildee	Murtha
Kim	Myers
King	Myrick
Kingston	Nadler
Klecza	Neal
Klink	Nethercutt
Klug	Neumann
Knollenberg	Ney
Kolbe	Nussle
LaFalce	Oberstar
LaHood	Obey
Lantos	Olver
Latham	Ortiz
LaTourette	Orton
Laughlin	Owens
Lazio	Oxley
Leach	Packard
Levin	Pallone
Lewis (CA)	Parker
Lewis (GA)	Pastor
Lewis (KY)	Paxon
Lightfoot	Payne (NJ)
Lincoln	Payne (VA)
Linder	Pelosi
Lipinski	Peterson (FL)
Livingston	Petri
LoBiondo	Pickett
Longley	Pombo
Lowey	Pomeroy
Lucas	Porter
Luther	Portman
Maloney	Poshard
Manton	Pryce
Manzullo	Quinn
Markey	Radanovich
Martinez	Rahall
Martini	Ramstad
Mascara	Reed
Matsui	Regula
McCarthy	Richardson
McCollum	Riggs
McCrery	Rivers
McDade	Roberts
McDermott	Roemer
McHale	Rogers
McHugh	Rohrabacher
McInnis	Ros-Lehtinen
McIntosh	Roth
McKeon	Roukema
McKinney	Roybal-Allard
McNulty	Royce
Meehan	Rush
Meek	Sabo
Menendez	Salmon
Metcalfe	Sanders
Meyers	Sawyer
	Saxton
	Schaefer

NAYS—25

Bonilla	Hunter	Shadegg
Chabot	Hyde	Smith (MI)
DeFazio	Johnson, Sam	Souder
Dornan	Jones	Thornberry
Duncan	Largent	Waters
Funderburk	Norwood	Watt (NC)
Graham	Sanford	Yates
Hancock	Scarborough	
Hilliard	Sensenbrenner	

NOT VOTING—10

Baessler	Peterson (MN)	Schroeder
de la Garza	Quillen	Wilson
Ewing	Rangel	
Jacobs	Rose	

□ 1653

Mr. HUNTER changed his vote from "yea" to "nay."

Mr. TATE changed his vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mr. EWING. Mr. Speaker, I missed all votes today because I was in my district with James Lee Witt, the Director of the Federal Emergency Management Agency, to visit several of the areas in Champaign County which were devastated by tornadoes last weekend and to help formulate the Federal Government's response. Had I been present, I would have voted for passage of H.R. 3019, the omnibus appropriations bill conference report.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2723

Mr. BISHOP. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2723, the Work and Family Integration Act.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Georgia?

There was no objection.

#### PARLIAMENTARY INQUIRY

Mr. SABO. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SABO. Mr. Speaker, the Congressional Budget Act sets up procedures to allow the appropriations process to move forward in situations when the budget resolution is behind schedule. I would like to inquire of the Chair whether these procedures have been followed.

In particular, if the conference report on the budget resolution is not adopted by April 15, section 603 of the Budget Act directs the chairman of the Committee on the Budget to submit to the House a spending allocation to the Committee on Appropriations for the coming fiscal year. The allocation is to be based on the discretionary spending limits set by law. Its purpose is to allow the House to begin work on appropriation bills.

Section 603 of the Budget Act requires this allocation to be filed as soon as practicable after April 15. When I was chairman of the Committee on the Budget, I submitted this allocation when it was required, and my predecessor, Leon Panetta, did as well.

If we are to avoid running the Government on continuing resolutions again this year, it is essential that the appropriations process get started. The April 15 deadline set by the Budget Act for completion of the budget resolution passed more than a week ago, and the House markup has not even been scheduled.

Therefore, Mr. Speaker, I would like to inquire whether a fiscal year 1997 spending allocation to the Committee on Appropriations has been submitted to the House as required by section 603 of the Congressional Budget Act.

□ 1700

The SPEAKER pro tempore (Mr. LAHOOD). The Chair would advise the gentleman from Minnesota to consult with the chairman of the Committee on the Budget on this matter of a submission as soon as practicable after April 15.

Mr. SABO. Mr. Speaker, I know the gentleman cannot be here. The gentleman knows I am making this inquiry.

#### THE BUDGET PROCESS

(Mr. SABO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SABO. Mr. Speaker, let me indicate that this was a process adopted in 1990 to make sure that appropriations could move forward in the event no budget resolution is adopted. In 1991, April 15 came on a Monday. The allocation to appropriations was filed on April 18. In 1992, April 15 came during Easter recess. The House reconvened on April 28 and the allocation was filed on April 30. In 1994, April 15 was a Friday. The allocation was filed on Tuesday.

Let me indicate that this is a process established so that appropriations can move forward. It does not prejudice what the 602(b) allocations internally in that committee should be, but it should be followed so that committee can begin working, avoid the problems we had this year on the continuing resolution. It does not prejudice how the Committee on Appropriations makes internal allocations. The majority has full flexibility to move forward, if they desire in a partisan way, with the 602(b) allocation. They could begin negotiations with the minority Democrats and administration to resolve what we are now resolving 6 months late at this point of the year. They have that discretion.

I urge, if it has not been followed, that the majority follow the law, give that allocation to Appropriations, so that negotiations can begin within the appropriating process so we do not have to go through the 13 continuing resolutions of this year and the budget process, whenever it is going to occur, whatever form it is going to take, or at what time we eventually get to the conference agreement, can proceed. But we should not be shortening the time that the Committee on Appropriations needs and which under the law they should be able to begin now.

#### LEGISLATIVE PROGRAM

(Mr. BONIOR asked and was given permission to address the House for 1 minute.)

Mr. BONIOR. Mr. Speaker, I rise to inquire of the distinguished chief deputy majority whip the schedule for today and the remainder of the week and for the next week.

Mr. HASTERT. Mr. Speaker, if the gentleman will yield, I thank my good friend from Michigan, the minority whip.

Mr. Speaker, I am pleased to announce that we have concluded our legislative business for the week.

On Monday, April 29, the House will meet in pro forma session. There will be no legislative business, and no votes, on that day.

On Tuesday, April 30, the House will meet at 12:30 p.m. for morning hour and 2 p.m. for legislative business. Members should note that we do not anticipate votes until 5 p.m.

On Tuesday, April 30, we will consider three bills under suspension of the rules: H.R. 1823, to amend the Central Utah Project Completion Act; H.R. 1527, to amend the National Forest Ski Area Permit Act of 1986; and H.R. 873, the Helium Privatization Act of 1995.

After the suspensions, we will consider the President's veto of H.R. 1561, the American Overseas Interests Act of 1995.

On Wednesday, May 1, and Thursday, May 2, the House will consider the following bills, both of which will be subject to rules: H.R. 2149, the Ocean Shipping Reform Act of 1995; and H.R. 2641, the U.S. Marshals Service Improvement Act of 1995.

It is our hope that the conference report to S. 641, Ryan White CARE Reauthorization Act of 1995, will also be available next week.

Mr. Speaker, we should finish legislative business and have Members on their way home to their families by 6 p.m. on Thursday, May 2.

Mr. BONIOR. Mr. Speaker, I thank my colleague for his comments. I have just one or two questions. Can the gentleman tell us if the House is expected to appoint conferees on the health care bill next week?

Mr. HASTERT. It is our intent that the health care conferees will be appointed next week.

Mr. BONIOR. I thank my friend. The second and final question I have is when will we consider, in light of the comments made by my friend from Minnesota, Mr. SABO, when will we consider the budget resolution?

Mr. HASTERT. We would hope that the budget bill will be marked up next week and considered the following week.

Mr. BONIOR. I thank my friend. I wish him a good weekend and good traveling.

Mr. HASTERT. Same to you, sir.

#### ADJOURNMENT TO MONDAY, APRIL 29, 1996

Mr. HASTERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### HOOR OF MEETING ON TUESDAY, APRIL 30, 1996

Mr. HASTERT. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, April 29, 1996, it adjourn to meet at 12:30 p.m. on Tuesday, April 30, 1996, for morning hour debates.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. HASTERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### PERMISSION TO AMEND REPORT ON H.R. 2406, UNITED STATES HOUSING ACT OF 1996

Mr. LAZIO of New York. Mr. Speaker, I ask unanimous consent to amend Report No. 104-461, originally filed on February 1, 1996, to include Congressional Budget Office cost estimates for H.R. 2406, the United States Housing Act of 1996.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

#### 104TH CONGRESS EARNING SHAME- FUL REPUTATION ON MINIMUM WAGE

(Ms. MCKINNEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCKINNEY. Mr. Speaker, on Tuesday I sent this letter to Speaker GINGRICH urging him to hold a vote on a clean minimum wage increase. And today we learn that we will not even have the opportunity to vote on a dirty minimum wage increase.

I have my daughter here for the day, Shanterri Grier, and she is here at the Capitol with me. Every one of the Republican leaders has said that she does not deserve the right to earn a decent wage. Shame, shame, shame. This Congress is earning its reputation.

Conservative political analyst Kevin Phillips said the 104th Congress may be the worst in 50 years, and they are proving it today.

Mr. Speaker, the letter referred to earlier is included for the RECORD.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, April 23, 1996.

Hon. NEWT GINGRICH,  
Speaker of the House of Representatives, Washington, DC.

DEAR SPEAKER GINGRICH: As a member of the Georgia Congressional Delegation I feel



compelled to write you about the fast-eroding minimum wage and its impact on the working people of our State. I respectfully request that you permit the House of Representatives to vote on increasing the minimum wage, without attaching highly controversial riders that would only sabotage the proposed 90 cent increase.

It is my understanding, from numerous press reports, that you may schedule a vote to increase the minimum wage. However, I am dismayed to learn that you intend to attach numerous other provisions which would weaken worker protections and increase the deficit. I fail to see the purpose of undermining occupational safety and health standards and/or including tax cuts without offsets, when it is the tragically low minimum wage that needs to be addressed.

The false link you are creating between a minimum wage increase and a reduction in worker protections, is little more than a cynical ploy to convince people earning \$8,400 a year that less safe working conditions are the price they must pay for a living wage. This Machiavellian approach is insensitive to the needs of thousands of working Georgians who struggle just to put food on the table.

As of 1994, 11.9% of Georgia's workforce was earning between \$4.25 and \$5.14 an hour. A 90 cent increase would help these nearly 362,000 people make ends meet. I have heard arguments from Republican leaders that raising the minimum wage would reduce jobs. However, numerous studies have shown little to no job loss when the minimum wage was raised—in some cases the number of jobs have increased. Moreover, an eminent group of 101 economists, including three Nobel Prize laureates, recently endorsed an increase in the federal minimum wage.

On behalf of working Georgians earning the minimum wage, I urge you to bring a clean minimum wage increase up for a vote on the floor of the House before the Memorial Day district work period.

Sincerely,

CYNTHIA MCKINNEY,  
Member of Congress

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### THE END OF A LONG BUDGET PROCESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, it has been a very, very, very long journey. Last fall, in October 1995, this House was to have passed all of its appropriation bills so that the schools would be open, so that the environmental commitment we have made to the American people would be followed through, so that the homeless could be housed, and so, for example, this Government would not have closed during Thanksgiving and the Christmas holiday season of 1995.

But there is something to persistence. And although I abhorred the closing of the Government and the hurting of American families, and asked to

stay through the Thanksgiving holidays and Christmas holidays so we would not shut the Government down, unfortunately, there are others, my Republican colleagues, who saw fit not to agree, that the American people wanted a commitment to education, the environment, to safe and drug free schools, the 100,000 police officers, and the Summer Jobs Program.

But, again, as I said, it has been a long journey, but there is something to persistence, and this debate that we have had on the omnibus appropriation bill should be chronicled in the appropriate manner, and that manner is to let you know that this was not an easy task. It was not an easy task to come from zero on the Summer Jobs Program, under allegations that all we were doing was just babysitting for youngsters who work and for the first time in their lives would have the opportunity to be exposed to good jobs, to understand what the working world is all about, and to develop the self-esteem and character building aspects of their lives so they would go into the work force. Just a few months ago that program was zeroed out.

There are colleagues like myself and the Democratic Caucus who persisted that our young people do count, and the Senate heard us, and the President heard us. And from a zero funding for summer youth employment, that would have cost the city of Houston some 6,000 summer jobs for youngsters, who use those moneys to in fact pay the rent and provide clothing and substance for their families during the summer months, and encourage them to return back to their schools in the fall.

I know that program, for I had a young lady work for me during the summer, a hot summer in Houston, who called the office first and said, "I can't take this job. I can't come in." When we inquired, she said, "I have no clothes to wear." We entreated her to say, "If you have simply a paper bag to wear, it is important for you to come and understand what work is all about."

That is what America is about. And this appropriations bill that we have passed, with the good help of those who believe in our young people, now has \$625 million for our summer jobs.

Let me express the gratification for those conferees, those Democrats who persisted, the gentleman from Wisconsin [Mr. OBEY] who persisted continuously to insist that education is an important aspect of the lives of Americans. That is why title I was funded. That is why 88 percent of the education needs were funded. That is why the School to Work Program that has been applauded nationally by those individuals who applaud public schools and those who are detractors of public schools, every one of them believe in the School to Work Program, which allows young people to come out of high school and find an opportunity for work.

You know, we are always hearing accusations that Americans do not want to work, that they are slow in working, that they are not productive. And everywhere I have gone in the 18th Congressional District, they have reinforced the desire to work. But if they cannot find jobs or opportunity, or if someone says you have to go to college, that is the only way you can get to work, to support a family, then what do you have? The School to Work Program, a vital aspect of connecting Americans, high school graduates, to an effective work situation so they can be supported and independent Americans. That program was funded under this appropriation bill, because the Democrats continued to hold out to invest in America.

How grateful I am as a former city council member we continued to hold out, to see that 100,000 police officers get on our streets. You know, this is Victims Rights Week. It is tragic to be able to have to come and comfort the families of victims, families who have asked the question, why? Were they not in the right place? Were there not enough law enforcement, enough prisons?

Even when you talk to those families, they begin to understand that prevention is 9/10ths of it, and the presence of law enforcement on our streets is the other aspect of ensuring that people are not subject to criminal activity. And yet that program was not funded by Republicans.

□ 1714

I will simply say, Mr. Speaker, that we have an omnibus appropriations bill that I wish could have been passed a couple months ago, but we now have police on the street, summer jobs, and education funding.

The SPEAKER pro tempore (Mr. FOLEY). Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

[Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia [Ms. NORTON] is recognized for 5 minutes.

[Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. KLINK] is recognized for 5 minutes.

[Mr. KLINK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]



## RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the House stands in recess subject to the call of the Chair.

Accordingly (at 5 o'clock and 15 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2045

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FOLEY) at 8 o'clock and 45 minutes p.m.

## FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3019) "An Act making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes."

The message further announced that the Senate passed without amendment:

H. Con. Res. 166. Concurrent resolution authorizing the use of the Capitol Grounds for the Washington for Jesus 1996 prayer rally.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to: Mr. EWING (at the request of Mr. ARMEY), for April 25, 1996, on account of official business.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Member (at his own request):)

Mr. MANZULLO, today, for 5 minutes.

(The following Member (at his own request):)

Mr. DOGGETT, today, for 5 minutes.

(The following Members (at the request of Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. KLINK, for 5 minutes, today.

## EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Ms. JACKSON-LEE of Texas) and to include extraneous material:)

Mr. JACOBS.

Mr. DICKS.

Ms. JOHNSON of Texas.

Mr. VISCLOSKEY.

Mr. LIPINSKI in three instances.

Mr. STARK.

Mr. MENENDEZ in three instances.

Mr. HAMILTON.

Mr. LAFALCE.

Mr. TOWNS.

Mr. FALEOMAVAEGA.

Mr. GORDON.

Mr. ROEMER.

Mr. LANTOS in three instances.

Mr. BARCIA.

Ms. SLAUGHTER.

Mr. DURBIN.

(The following Members (at the request of Mr. LAZIO) and to include extraneous matter:)

Mr. CAMPBELL.

Mr. HORN.

Mr. CAMP.

Mr. SAXTON.

Mr. QUINN.

Mr. WHITE.

Mr. GOODLING.

Mr. BUNNING of Kentucky.

Mr. MARTINI in two instances.

Mr. CRAPO.

Mrs. MORELLA.

Mr. DORNAN in two instances.

Mr. RAMSTAD.

Mr. WATTS of Oklahoma.

Mr. EWING.

Mr. ENGLISH of Pennsylvania.

Mr. TATE.

(The following Members (at the request of Mr. HORN) and to include extraneous matter:)

Mrs. MINK of Hawaii.

Mr. METCALF.

Ms. MOLINARI.

Mr. MOORHEAD.

Mr. PACKARD.

Mr. LAFALCE.

Mr. BECERRA.

Mr. GILLMOR.

Mr. SCAGGS.

Mr. MICA.

Mr. BAKER of California.

Mr. PASTOR.

Mr. GEJDENSON.

Ms. PELOSI.

Mr. JOHNSON of South Dakota.

Mr. TORRES.

## ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3019. An act making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes.

H.R. 3055. An act to amend section 326 of the Higher Education Act of 1965 to permit continued participation by Historically Black Graduate Professional Schools in the grant program authorized by that section.

## BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on this day present to the President, for his approval, bills of the House of the following title:

H.J. Res. 175. A joint resolution making further continuing appropriations for the fiscal year 1996, and for other purposes.

## ADJOURNMENT

Mr. HORN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 48 minutes p.m.), under its previous order, the House adjourned until Monday, April 29, 1996, at 2 p.m.

## EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized by various miscellaneous delegations of the House of Representatives during the 1995 calendar year, as well as reports of various committees and miscellaneous groups of the House of Representatives concerning foreign currencies and U.S. dollars utilized for official foreign travel during the 1st quarter of 1996, pursuant to Public Law 95-384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, BRITISH-AMERICAN PARLIAMENTARY GROUP, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1995<sup>3</sup>

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Delegation Expenses:											
Representational function <sup>4</sup>										178.00	178.00
Committee total										178.00	178.00

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> No conference between the House and the British Parliament was held during 1995.  
<sup>4</sup> Reception for a delegation of the BAPG on May 23, 1995.

DOUGLAS BEREUTER, Mar. 5, 1996.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO THE EUROPEAN PARLIAMENT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1995

Name of Member or employee	Date		Country	Per diem		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Laura Rush <sup>3</sup> .....	7/10	7/12	United States .....		416.26		231.00				647.26
Delegation expenses:											
Representational functions .....									34,025.79		34,025.79
Ground transportation .....							300.00				300.00
Translation/interpretation .....									4,200.00		4,200.00
Committee total .....					416.26		531.00		38,225.79		39,173.05

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.  
<sup>3</sup> Advance trip—Nebraska.

BEN GILMAN, Mar. 11, 1996.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MEXICO-U.S. INTERPARLIAMENTARY GROUP, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1995

Name of Member or employee	Date		Country	Per diem		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Jim Kolbe .....	4/22	4/23	Mexico .....				680.95				680.95
	5/12	5/14	United States .....		320.86		( <sup>3</sup> )				320.86
Hon. Cass Ballenger .....	5/12	5/14	United States .....		320.86		( <sup>3</sup> )				320.86
Hon. Sam Brownback .....	5/12	5/13	United States .....		162.35		( <sup>3</sup> )				162.35
Hon. Ronald D. Coleman .....	5/12	5/14	United States .....		330.86		( <sup>3</sup> )				330.86
Hon. E de la Garza .....	5/12	5/14	United States .....		352.15		( <sup>3</sup> )				352.15
Hon. David Dreier .....	5/12	5/14	United States .....		328.06		( <sup>3</sup> )				328.06
Hon. Bob Filner .....	5/12	5/14	United States .....		331.41		( <sup>3</sup> )				331.41
Hon. Mark Adam Foley .....	5/12	5/14	United States .....		351.68		( <sup>3</sup> )				351.68
Hon. Benjamin A. Gilman .....	5/12	5/14	United States .....		320.86		462.00				782.86
Hon. Charles B. Rangel .....	5/12	5/14	United States .....		379.93		( <sup>3</sup> )				379.93
Hon. Matt Salmon .....	5/12	5/14	United States .....		333.77		( <sup>3</sup> )				333.77
Michael Boyd .....	5/11	5/14	United States .....		534.71		203.10				737.81
Xavier Equihua .....	5/12	5/14	United States .....		331.06		409.00		121.00		861.06
Laurie Fenton .....	5/11	5/14	United States .....		617.14		403.00				1,020.14
Shelley Livingston .....	4/10	4/13	United States .....		699.46		403.00				1,102.46
	5/10	5/14	United States .....		802.81		222.00		22.00		1,048.81
John Mackey .....	5/12	5/14	United States .....		353.45		( <sup>3</sup> )				353.45
Jatinder Mundy .....	5/12	5/14	United States .....		325.70		( <sup>3</sup> )				325.70
Roger Noriega .....	5/12	5/14	United States .....		320.86		( <sup>3</sup> )				320.86
Terree Wasley .....	5/12	5/13	United States .....		70.31						70.31
Daniel Restrepo .....	5/12	5/14	United States .....		332.95		( <sup>3</sup> )				332.95
Delegation expenses:											
Representational functions .....									39,630.72		
Translating/interpreting .....									11,329.73		
Miscellaneous .....									450.05		51,419.50
Committee total .....					7,912.24		2,783.05		51,562.50		62,266.79

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.  
<sup>3</sup> Military air transportation.

JIM KOLBE, Mar. 29, 1996.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, NORTH ATLANTIC ASSEMBLY DELEGATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1995

Name of Member or employee	Date		Country	Per diem		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Representational functions .....									24,710.45		24,710.45
Committee total .....									24,710.45		24,710.45

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DOUG BEREUTER, Apr. 8, 1996.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, U.S.-CANADA INTERPARLIAMENTARY GROUP, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1995

Name of Member or employee	Date		Country	Per diem		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Kika de la Garza .....	5/18	5/20	Canada .....		228.65		( <sup>3</sup> )				228.65
Commercial airfare .....							467.18				467.18
Sam Gibbons .....	5/18	5/22	Canada .....		432.42		( <sup>3</sup> )				432.42
Hon. Harry Johnston .....	5/18	5/22	Canada .....		433.24		( <sup>3</sup> )				433.24
Hon. Don Manzullo .....	5/18	5/22	Canada .....		434.15		( <sup>3</sup> )				434.15
Hon. Louise Slaughter .....	5/18	5/22	Canada .....		430.77		( <sup>3</sup> )				430.77
Tracy Hart .....	5/18	5/22	Canada .....		430.77		( <sup>3</sup> )				430.77
Francis Record .....	5/18	5/22	Canada .....		444.45		( <sup>3</sup> )				444.45
David Weiner .....	5/18	5/22	Canada .....		441.15		( <sup>3</sup> )				441.15
Delegation expenses:											
Inflight expenses .....									91.32		91.32

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, U.S.-CANADA INTERPARLIAMENTARY GROUP, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1995—Continued

Name of Member or employee	Date		Country	Per diem		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Committee total .....					3,275.60		467.18		91.32		3,834.10

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.<sup>3</sup> Military air transportation.

DONALD A. MANZULLO, Mar. 6, 1996

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOUSE OVERSIGHT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1996

Name of Member or employee	Date		Country	Per diem		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Mary Sue Englund .....	2/22	2/25	Panama .....		556.00		650.95				1,206.95
Committee total .....					556.00		650.95				1,206.95

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BILL THOMAS, Chairman, Apr. 9, 1996.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1996

Name of Member or employee	Date		Country	Per diem		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Kristi Walseth .....	2/18	2/22	Romania .....		1,700						1,700
Commercial airfare .....	2/22	2/24	Slovakia .....				2,806.25				2,806.25
Committee total .....					1,700		2,806.25				4,506.25

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JERRY SOLOMON, Chairman, Apr. 9, 1996.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1996

Name of Member or employee	Date		Country	Per diem		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. F. James Sensenbrenner .....	1/7	1/8	France .....		326.00						326.00
Commercial airfare .....	1/8	1/9	Russia .....		338.00						338.00
Nicolas A. Fuhrman .....	1/7	1/8	France .....		326.00		3,423.35				3,423.35
Commercial airfare .....	1/8	1/9	Russia .....		338.00						338.00
Richard M. Obermann .....	1/7	1/8	France .....		326.00						326.00
Commercial airfare .....	1/8	1/9	Russia .....		338.00		3,423.35				3,423.35
Committee total .....					1,992.00		10,270.05				12,262.05

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ROBERT S. WALKER, Chairman, Apr. 15, 1996.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1996

Name of Member or employee	Date		Country	Per diem		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Angela Ellard .....	2/13	2/17	Switzerland .....		968.45		782.15				1,750.60
Commercial airfare .....											
Hon. Sam Gibbons .....	2/19	2/22	Mexico .....		225.00		685.95				910.95
Commercial airfare .....											
Committee Total .....					1,193.45		1,468.10				2,661.55

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BILL ARCHER, Chairman, Apr. 22, 1996.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, NORTH ATLANTIC ASSEMBLY DELEGATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 12 AND FEB. 20, 1996

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency <sup>2</sup>	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency <sup>2</sup>	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency <sup>2</sup>	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency <sup>2</sup>	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Doug Bereuter .....	2/12	2/15	Germany .....		725.00						725.00
	2/15	2/17	France .....		608.00						608.00

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, NORTH ATLANTIC ASSEMBLY DELEGATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 12 AND FEB. 20, 1996—Continued

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency <sup>2</sup>	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency <sup>2</sup>	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency <sup>2</sup>	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency <sup>2</sup>	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Tom Bliley .....	2/17	2/20	Belgium .....		999.00		3				2,332.00
	2/12	2/15	Germany .....		725.00						
	2/15	2/17	France .....		608.00						
Hon. Jan Meyers .....	2/17	2/20	Belgium .....		999.00		(?)				2,332.00
	2/12	2/15	Germany .....		725.00						
	2/15	2/17	France .....		608.00						
Hon. Herb Bateman .....	2/17	2/20	Belgium .....		999.00		(?)				2,332.00
	2/12	2/15	Germany .....		725.00						
	2/15	2/17	France .....		608.00						
Hon. Michael Bilirakis .....	2/17	2/20	Belgium .....		999.00		(?)				2,332.00
	2/12	2/15	Germany .....		725.00						
	2/15	2/17	France .....		608.00						
Hon. Paul Gillmor .....	2/17	2/20	Belgium .....		999.00		(?)				2,332.00
	2/12	2/15	Germany .....		725.00						
	2/15	2/17	France .....		608.00						
Hon. Dennis Hastert .....	2/17	2/20	Belgium .....		999.00		(?)				2,332.00
	2/12	2/15	Germany .....		725.00						
	2/15	2/17	France .....		608.00						
Hon. Charlie Rose .....	2/17	2/20	Belgium .....		999.00		(?)				2,332.00
	2/12	2/15	Germany .....		725.00						
	2/15	2/17	France .....		608.00						
Hon. Pat Schroeder .....	2/17	2/20	Belgium .....		999.00		(?)				2,332.00
	2/12	2/15	Germany .....		725.00						
	2/15	2/17	France .....		608.00						
Hon. Ron Coleman .....	2/17	2/20	Belgium .....		999.00		(?)				2,332.00
	2/12	2/15	Germany .....		725.00						
	2/15	2/17	France .....		608.00						
John Herzberg .....	2/17	2/20	Belgium .....		999.00		(?)				2,332.00
	2/12	2/15	Germany .....		725.00						
	2/15	2/17	France .....		608.00						
Jo Weber .....	2/17	2/20	Belgium .....		999.00		(?)				2,332.00
	2/12	2/15	Germany .....		725.00						
	2/15	2/17	France .....		608.00						
Michael Ennis .....	2/17	2/20	Belgium .....		999.00		(?)				2,332.00
	2/12	2/15	Germany .....		725.00						
	2/15	2/17	France .....		608.00						
Ronald Lasch .....	2/17	2/20	Belgium .....		999.00		(?)				2,332.00
	2/12	2/15	Germany .....		725.00						
	2/15	2/17	France .....		608.00						
David Hobbs .....	2/17	2/20	Belgium .....		999.00		(?)				2,332.00
	2/12	2/15	Germany .....		725.00						
	2/15	2/17	France .....		608.00						
Scott Palmer .....	2/17	2/20	Belgium .....		999.00		(?)				2,332.00
	2/12	2/15	Germany .....		725.00						
	2/15	2/17	France .....		608.00						
James Doran .....	2/17	2/20	Belgium .....		999.00		(?)				2,332.00
	2/12	2/15	Germany .....		725.00						
	2/15	2/17	France .....		608.00						
Linda Pedigo .....	2/17	2/20	Belgium .....		999.00		(?)				2,332.00
	2/12	2/15	Germany .....		725.00						
	2/15	2/17	France .....		608.00						
	2/17	2/20	Belgium .....		999.00		(?)				2,332.00
Committee total .....					41,976.00						41,976.00

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency<sup>2</sup> is used, enter U.S. dollar equivalent; if U.S. currency<sup>2</sup> is used, enter amount expended.<sup>(?)</sup> Military air transportation.

DOUGLAS BEREUTER, Apr. 8, 1996.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, NORTH ATLANTIC ASSEMBLY DELEGATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAR. 29 AND MAR. 31, 1996

Name of Member or employee	Date		Country	Per diem		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Doug Bereuter .....	3/29	3/31	Canada .....		304.00		(?)				304.00
Hon. Tom Bliley .....	3/29	3/31	Canada .....		304.00		(?)				304.00
John Herzberg .....	3/29	3/31	Canada .....		304.00		(?)				304.00
Commercial air fare .....							187.00				187.00
Committee total .....					912.00		187.00				1,099.00

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.<sup>3</sup> Military air transportation.

DOUG BEREUTER, Apr. 8, 1996.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2520. A letter from the general sales manager and vice president, Commodity Credit Corporation, transmitting the annual report on monetization programs for U.S. fiscal year 1994, pursuant to 7 U.S.C. 1431(b)(9)(B); to the Committee on Agriculture.

2521. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Anti-Deficiency Act which occurred at the Tinker Air Force Base, OK, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

2522. A letter from the Assistant Secretary for Installations and Environment, Department of the Navy, transmitting notification of a Department of the Navy outsourcing study, pursuant to 10 U.S.C. 2304 note; to the Committee on National Security.

2523. A letter from the Secretary of Defense, transmitting the annual report of the

Reserve Forces Policy Board for fiscal year 1995, pursuant to 10 U.S.C. 113(c), (e); to the Committee on National Security.

2524. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Deletion of the Lee's Lane Superfund Site from the National Priorities List (FRL-5458-9), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2525. A letter from the Director, Office of Regulatory Management and Information,

Environmental Protection Agency, transmitting the Agency's final rule—Deletion of the Kummer Sanitary Landfill Superfund Site from the National Priorities List (FRL-5460-1), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2526. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Deletion of the Annicola Dump Superfund Site from the National Priorities List (FRL-5461-3), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2527. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Tennessee Request for Approval of Section 112(l) Authority (FRL-5458-7), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2528. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Ohio SIP. Revision for Ozone (FRL-5450-5), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2529. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Florida SIP. Amendments to the Federally Enforceable State Operating Permit Program for Perchloroethylene Dry Cleaning Facilities (FRL-5444-4), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2530. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—California; San Joaquin Valley Unified Air Pollution Control District (FRL-5460-9), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2531. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Alabama Authorization of Revisions for Hazardous Waste Management Program (FRL-5459-2), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2532. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—North Carolina Authorization of Revisions for Hazardous Waste Management Program (FRL-5459-1), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2533. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Kentucky Authorization of Revisions for Hazardous Waste Management Program (FRL-5461-5), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2534. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—South Carolina Authorization of Revisions for Hazardous Waste Management Program (FRL-5461-1), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2535. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval of Volatile Organic Compound Regulations for Oklahoma (FRL-5438-4), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2536. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Imports and Exports of Hazardous Waste: Implementation

of OECD Council Decision C(92)39 Concerning the Control of Transfrontier Movements of Wastes Destined for Recovery Operations (FRL-5447-1), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2537. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Approval Source-Specific VOC and NOX RACT and Synthetic Minor Permit Conditions, and 1990 Baseyear Emissions for One Source (FRL-5442-9), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2538. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Illinois Motor Vehicle Inspection and Maintenance (FRL-5434-9), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2539. A letter from the Chair, Federal Energy Regulatory Commission, transmitting the Commission's major rules—Promoting Wholesale Competition Through Open Access Non-discriminatory Transmission Services by Public Utilities (Docket No. RM95-8-000), Recovery of Stranded Costs by Public Utilities and Transmitting Utilities (Docket No. RM94-7-001), and Open Access Same-time Information System (OASIS) and Standards of Conduct (Docket No. RM95-9-000) also a proposed rulemaking—Capacity Reservation Open Access Transmission Tariffs (Docket No. RM96-11-000), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2540. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of defense articles or defense services sold commercially to the United Kingdom (Transmittal No. DTC-16-96), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2541. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that the Department of State intends to provide training to Bosnia and Herzegovina under the auspices of the Antiterrorism Assistance Program [ATA], pursuant to 22 U.S.C. 2349aa-3(a)(1); to the Committee on International Relations.

2542. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled "Comparative Analysis of Costs of Selected Programs of the District of Columbia Government and Other Jurisdictions," pursuant to D.C. Code, section 47-117(d); to the Committee on Government Reform and Oversight.

2543. A letter from the Secretary of Energy, transmitting the Department's annual report to the Congress on activities of the Department of Energy in response to recommendations and other interactions with the Defense Nuclear Facilities Safety Board, pursuant to 42 U.S.C. 2286e(b); jointly, to the Committees on National Security and Commerce.

2544. A letter from the Secretary of Treasury, transmitting the Department's annual report on financial market coordination and regulatory activities to reduce risks in the financial system in 1994 and 1995, pursuant to Public Law 101-432, section 8(b) (104 Stat. 976); jointly, to the Committees on Commerce, Banking and Financial Services, and Agriculture.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. LEACH: Committee on Banking and Financial Services. Supplemental report on H.R. 2406. A bill to repeal the United States Housing Act of 1937, deregulate the public housing program and the program for rental housing assistance for low-income families, and increase community control over such programs, and for other purposes (Rept. 104-461 Pt. 2).

Mr. LIVINGSTON: Committee of conference. Conference report on H.R. 3019. A bill making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes (Rept. 104-537). Ordered to be printed.

Mr. SOLOMON: Committee on Rules. House Resolution 415. Resolution waiving points of order against the conference report to accompany the bill (H.R. 3019) making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes (Rept. 104-538). Referred to the House Calendar.

Mr. GOODLING: Committee on Economic and Educational Opportunities. H.R. 2570. A bill to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 1997, 1998, 1999, 2000, and 2001, and for other purposes; with an amendment (Rept. 104-539). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLILEY: Committee on Commerce. H.R. 1663. A bill to amend the Waste Isolation Pilot Plant Land Withdrawal Act; with an amendment (Rept. 104-540 Pt. 1). Ordered to be printed.

#### TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 1663. Referral to the Committee on National Security extended for a period ending not later than June 14, 1996.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. STUMP (for himself, Mr. MONTGOMERY, Mr. DUNCAN, Mr. WAMP, Mr. HILLEARY, Mr. CLEMENT, Mr. GORDON, Mr. BRYANT of Tennessee, Mr. TANNER, Mr. FORD, Mr. SOLOMON, Mr. PARKER, Mr. SMITH of New Jersey, Mr. BILIRAKIS, Mr. SPENCE, Mr. HUTCHINSON, Mr. EVERETT, Mr. BUYER, Mr. QUINN, Mr. BACHUS, Mr. STEARNS, Mr. NEY, Mr. FOX, Mr. FLANAGAN, Mr. BARR, Mr. WELLER, Mr. HAYWORTH, Mr. COOLEY, Mr. SCHAEFER, Mr. EVANS, Mr. KENNEDY of Massachusetts, Mr. EDWARDS, Mr. FILNER, Mr. TEJEDA, Mr. GUTIERREZ, Mr. BAESLER, Mr. BISHOP, Mr. CLYBURN, Ms. BROWN of Florida, Mr. DOYLE, and Mr. MASCARA):

H.R. 3320. A bill to name the Mountain Home Department of Veterans Affairs medical center in Johnson City, TN, as the "James H. Quillen Department of Veterans Affairs Medical Center"; to the Committee on Veterans' Affairs.

By Mr. WELLER:

H.R. 3321. A bill to amend title 38, United States Code, to expand the authority of the Secretary of Veterans Affairs to enter into sharing agreements relating to use of health

care resources; to the Committee on Veterans' Affairs.

By Mr. WALKER (for himself, Mr. SENBRENNER, Mrs. MORELLA, Mr. ROHRBACHER, and Mr. SCHIFF):

H.R. 3322. A bill to authorize appropriations for fiscal year 1997 for civilian science activities of the Federal Government, and for other purposes; to the Committee on Science, and in addition to the Committees on Resources, Transportation and Infrastructure, and National Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BECERRA (for himself, Mr. PASTOR, Mr. DIAZ-BALART, Mr. SERRANO, Ms. VELAZQUEZ, Mr. TORRES, Ms. ROYBAL-ALLARD, Mr. RICHARDSON, Mr. MARTINEZ, Mr. BERMAN, Ms. LOFGREN, Mr. FARR, Mr. MATSUI, Ms. WATERS, Mrs. MINK of Hawaii, Mr. GREEN of Texas, Mr. FILNER, Mr. TEJEDA, Mr. ORTIZ, Mr. ROMERO-BARCELO, Mr. DE LA GARZA, Mr. GUTIERREZ, Mr. UNDERWOOD, Mr. CONYERS, Mr. NADLER, Mr. SCHUMER, Mr. MCDERMOTT, Ms. ROS-LEHTINEN, and Mr. WATT of North Carolina):

H.R. 3323. A bill to promote the naturalization of eligible individuals by making the administration of oaths of allegiance more efficient, improving the dissemination of information about eligibility and requirements for naturalization, making grants for citizenship preparation, and requiring the Attorney General periodically to consult with appropriate private organizations, and for other purposes; to the Committee on the Judiciary.

By Mr. TIAHRT (for himself, Mr. LEWIS of Kentucky, Mr. TALENT, Mr. GRAHAM, Mr. LIPINSKI, Mr. COOLEY, Mr. LARGENT, Mr. STOCKMAN, Mr. COBURN, Mr. GUTKNECHT, Mr. HUTCHINSON, Mr. BARTLETT of Maryland, Mr. EMERSON, and Mr. SOUDER):

H.R. 3324. A bill to amend the General Education Provisions Act to allow parents access to certain information; to the Committee on Economic and Educational Opportunities.

By Mr. BRYANT of Tennessee:

H.R. 3325. A bill to provide certain technical assistance to the Chickasaw Basin Authority; to the Committee on Agriculture.

By Mr. CRAPO:

H.R. 3326. A bill to amend the Fair Labor Standards Act of 1938 to adjust the maximum hour exemption for agricultural employees, and for other purposes; to the Committee on Economic and Educational Opportunities.

By Mr. FALEOMAVAEGA:

H.R. 3327. A bill to amend title 10, United States Code, to provide that U.S. nationals should be eligible for advanced training in, and for financial assistance as members of, the Senior Reserve Officers' Training Corps; to the Committee on National Security.

By Mr. GORDON:

H.R. 3328. A bill to amend title 18, United States Code, to prohibit sports agents from influencing college athletes; to the Committee on the Judiciary.

By Mr. HILLIARD:

H.R. 3329. A bill to amend the Internal Revenue Code of 1986 to increase the amount which may be expensed with respect to certain depreciable business assets; to the Committee on Ways and Means.

H.R. 3330. A bill to amend the Internal Revenue Code of 1986 to increase the deduction for health insurance costs of self-employed individuals; to the Committee on Ways and Means.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mrs. MORELLA, Mr.

HAYES, Mr. GREEN of Texas, Ms. WATERS, Mr. HILLIARD, Mrs. MEEK of Florida, Mr. FROST, Mrs. CLAYTON, Ms. LOFGREN, Ms. NORTON, Mr. FRAZER, Mr. THOMPSON, Mr. TOWNS, Miss COLLINS of Michigan, Mr. EVANS, and Mrs. KENNELLY):

H.R. 3331. A bill to amend the Public Health Service Act to expand and intensify programs of the National Institutes of Health with respect to research and related activities concerning osteoporosis and related bone diseases; to the Committee on Commerce.

By Ms. MCKINNEY:

H.R. 3332. A bill to amend the Internal Revenue Code of 1986 to increase the child care credit and eliminate the exclusion of certain income of and the special dividends received deduction with respect to foreign sales corporations; to the Committee on Ways and Means.

H.R. 3333. A bill to amend the Internal Revenue Code of 1986 to reduce by 50 percent certain tax benefits allowable to profitable large corporations which make certain workforce reductions; to the Committee on Ways and Means, and in addition to the Committee on International Relations, and Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICA (for himself, Mr. RANGEL, Mr. SOUDER, and Mr. ZELIFF):

H.R. 3334. A bill to amend the Communications Act of 1934 to require broadcasters to participate in drug and substance abuse information and education efforts as part of their public service obligations; to the Committee on Commerce.

By Ms. MOLINARI:

H.R. 3335. A bill to make certain administrative reforms relating to the Federal Railroad Administration and to make further improvements to the laws governing railroad safety; to the Committee on Transportation and Infrastructure.

By Ms. NORTON:

H.R. 3336. A bill to provide for temporary authority to waive the reduction for early retirement under the Civil Service Retirement System to assist the District of Columbia government in its work force downsizing efforts, and for other purposes; to the Committee on Government Reform and Oversight.

By Mr. RAMSTAD (for himself, Mr. HOUGHTON, Mr. GUTKNECHT, Mr. KOLBE, Mr. PASTOR, Mr. EWING, Mr. MANTON, Mr. VENTO, and Mr. LUTHER):

H.R. 3337. A bill to extend certain Medicare community nursing organization demonstration projects; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROBERTS (for himself, Mr. EMERSON, Mr. DE LA GARZA, and Mr. CONDIT):

H.R. 3338. A bill to reform antimicrobial pesticide registration, and for other purposes; to the Committee on Agriculture.

By Mr. SKAGGS:

H.R. 3339. A bill to designate certain lands in Rocky Mountain National Park as wilderness, and for other purposes; to the Committee on Resources.

By Mr. SMITH of Michigan:

H.R. 3340. A bill to amend the National Flood Insurance Act of 1968 to provide for corrections to flood maps erroneously including certain areas within a special flood

hazards area; to the Committee on Banking and Financial Services.

By Mr. SOLOMON:

H.R. 3341. A bill to amend the Controlled Substances Act to provide an enhanced penalty for distributing a controlled substance with the intent to facilitate a rape or sexual battery; to the Committee on the Judiciary, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK:

H.R. 3342. A bill to amend the Internal Revenue Code of 1986 to assist in assuring health coverage for workers over 55 who leave employment; to the Committee on Ways and Means.

By Mr. STEARNS (for himself, Mr. ARMEY, Mr. SHADEGG, Mr. STUMP, Mr. WELDON of Florida, and Mr. NORWOOD):

H.R. 3343. A bill to amend the Internal Revenue Code of 1986 to repeal the withholding of income taxes and to require individuals to pay estimated taxes on a monthly basis; to the Committee on Ways and Means.

By Mr. STUPAK:

H.R. 3344. A bill to authorize the conveyance of the Coast Guard Presque Isle Light Station to Presque Isle Township, Presque Isle County, MI; to the Committee on Transportation and Infrastructure.

By Mr. TATE (for himself, Mr. GIBBONS, Mr. BREWSTER, Mrs. SMITH of Washington, Mr. STARK, Mr. PETE GEREN of Texas, Mr. MEEHAN, Mr. ENGLISH of Pennsylvania, Mr. CASTLE, Mr. BAKER of Louisiana, Mr. FIELDS of Texas, Mr. COLEMAN, Mr. BARTON of Texas, Mr. GREENWOOD, Mr. BENTSEN, Mr. BAKER of California, Mr. FRANKS of New Jersey, Mr. FRANK of Massachusetts, Mr. WAMP, Mr. CHAPMAN, Mr. ZIMMER, Mr. THOMPSON, Mr. HOEKSTRA, Mr. LIVINGSTON, Ms. GREENE of Utah, Mr. DAVIS, Mr. MORAN, Mrs. VUCANOVICH, Mr. BLUTE, Mr. SAM JOHNSON, Mr. FRELINGHUYSEN, Mr. FOGLIETTA, Mrs. LOWEY, Mr. LOBIONDO, Mr. STENHOLM, Mr. GREEN of Texas, Mr. HORN, Mr. LEWIS of California, Mr. SHUSTER, Mr. CHABOT, Mr. MONTGOMERY, Mr. CLINGER, Mr. ACKERMAN, Mr. BONILLA, Mr. ENSIGN, Mr. MOORHEAD, Mr. MCCREY, Mr. MICA, Mr. ZELIFF, Mr. SHAYS, Mr. MILLER of Florida, Mr. SMITH of New Jersey, and Mr. HILLEARY):

H.R. 3345. A bill to amend the Internal Revenue Code of 1986 to reduce the tax incentives for the production of alcohol for fuel use; to the Committee on Ways and Means.

By Mrs. THURMAN (for herself, Ms. BROWN of Florida, Mr. FOLEY, Mr. BILIRAKIS, Mr. HASTINGS of Florida, Mr. MILLER of Florida, Mr. MICA, Mr. CANADY, and Mr. WELDON of Florida):

H.R. 3346. A bill to require the Secretary of Veterans Affairs to develop a plan for allocation of health care resources by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. VENTO (for himself, Mr. GONZALEZ, and Mr. KENNEDY of Massachusetts):

H.R. 3347. A bill to amend the Stewart B. McKinney Homeless Assistance Act to revise and extend programs providing urgently needed assistance for the homeless, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. FAZIO of California:

H. Res. 414. Resolution designating minority membership on certain standing committees of the House. Considered and agreed to.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 123: Mr. MARTINI.  
 H.R. 294: Mr. WAXMAN and Mr. GUTIERREZ.  
 H.R. 351: Mr. KIM, Mr. ARCHER, Mr. PACKARD, and Mr. SOUDER.  
 H.R. 561: Mr. WATT of North Carolina and Mr. McDERMOTT.  
 H.R. 661: Mr. CAMPBELL.  
 H.R. 820: Mr. ORTON, Ms. PELOSI, Mrs. MALONEY, Mr. McHALE, and Mr. BERMAN.  
 H.R. 911: Mr. LAZIO of New York.  
 H.R. 969: Mr. FARR.  
 H.R. 972: Mr. FUNDERBURK.  
 H.R. 1127: Ms. GREENE of Utah.  
 H.R. 1161: Mr. FROST.  
 H.R. 1210: Mr. MARTINI.  
 H.R. 1328: Mr. KLINK.  
 H.R. 1363: Mr. MOORHEAD and Mr. ROYCE.  
 H.R. 1386: Ms. PRYCE, Mr. SCARBOROUGH, Mr. BURR, and Ms. GREENE of Utah.  
 H.R. 1406: Mr. LAFALCE.  
 H.R. 1416: Mr. BONIOR, Mr. MEEHAN, and Mr. CARDIN.  
 H.R. 1618: Mr. FUNDERBURK, Mr. GRAHAM, Mr. WELDON of Florida, Mr. HEINEMAN, Mr. TATE, Mrs. CHENOWETH, and Mr. HILLEARY.  
 H.R. 1619: Mr. PALLONE.  
 H.R. 1711: Mr. KINGSTON.  
 H.R. 1758: Mr. BORSKI, Mr. EVANS, and Mr. DEFazio.  
 H.R. 1776: Mr. PAYNE of Virginia, Mrs. THURMAN, Mr. FALEOMAVAEGA, and Mr. MINGE.  
 H.R. 1797: Mr. RANGEL.  
 H.R. 1883: Mr. SCHAEFER and Mr. LAUGHLIN.  
 H.R. 1998: Mr. FUNDERBURK.  
 H.R. 2066: Mr. PACKARD, Mr. KNOLLENBERG, Mr. TOWNS, Mr. STUMP, Mr. WELDON of Pennsylvania, Mrs. JOHNSON of Connecticut, Mr. GREEN of Texas, Mr. RAHALL, and Mrs. ROUKEMA.  
 H.R. 2090: Mr. SALMON.  
 H.R. 2138: Mr. HOUGHTON, Mr. RAHALL, Mr. ZIMMER, and Mr. SMITH of Texas.  
 H.R. 2247: Ms. DELAURO, Ms. FURSE, Mr. JOHNSON of South Dakota, Mrs. KELLY, Mr. NEAL of Massachusetts, and Mr. TORKILDSEN.  
 H.R. 2270: Mr. EHRLICH.  
 H.R. 2320: Mr. HAYWORTH, Mr. ZIMMER, Mr. HUTCHINSON, and Mr. SALMON.  
 H.R. 2391: Mr. SHAYS and Mrs. MYRICK.  
 H.R. 2548: Mr. SPRATT and Mr. HOLDEN.

H.R. 2551: Mr. CAMPBELL.  
 H.R. 2617: Mr. GREENWOOD.  
 H.R. 2651: Mr. WAXMAN.  
 H.R. 2655: Mr. ZIMMER.  
 H.R. 2676: Mr. JOHNSON of South Dakota.  
 H.R. 2683: Mrs. LOWEY and Mrs. KELLY.  
 H.R. 2751: Mr. BENTSEN.  
 H.R. 2757: Mr. BROWN of Ohio and Mr. YATES.  
 H.R. 2807: Mr. CHRYSLER, Mr. FROST, Mr. DIAZ-BALART, Ms. ROS-LEHTINEN, Mr. PASSTOR, Ms. DANNER, Mr. QUINN, Mr. NEAL of Massachusetts, Ms. NORTON, and Mr. KOLBE.  
 H.R. 2818: Mr. ENGEL.  
 H.R. 2900: Mr. FRANKS of Connecticut, Mr. BILBRAY, Mr. TAYLOR of Mississippi, Mr. SKEEN, Mr. FILNER, and Mr. LEWIS of Georgia.  
 H.R. 2912: Ms. RIVERS.  
 H.R. 2927: Mr. BAKER of Louisiana, Mr. STOCKMAN, and Mr. ROHRABACHER.  
 H.R. 2958: Mr. EHLERS.  
 H.R. 2976: Mr. DAVIS and Ms. GREENE of Utah.  
 H.R. 2991: Mr. EVANS.  
 H.R. 2992: Mr. HAYWORTH.  
 H.R. 2994: Mr. ORTON, Ms. DELAURO, Mr. KILDEE, Mr. BROWN of Ohio, and Mr. EHLERS.  
 H.R. 3002: Mr. BUYER.  
 H.R. 3003: Ms. ROYBAL-ALLARD, Mr. VENTO, Mr. EVANS, and Mr. HINCHEY.  
 H.R. 3043: Mr. EHLERS.  
 H.R. 3053: Mr. MEEHAN.  
 H.R. 3067: Mr. MARTINEZ, Mr. STARK, and Mr. EVANS.  
 H.R. 3079: Mrs. MEEK of Florida.  
 H.R. 3083: Mr. CALVERT and Mr. ROHRABACHER.  
 H.R. 3100: Mr. LARGENT.  
 H.R. 3119: Mr. DE LA GARZA, Mr. STUPAK, and Mr. McCRERY.  
 H.R. 3124: Mr. HINCHEY.  
 H.R. 3139: Mr. KING, Mr. FRISA, Mr. OWENS, Mr. HOUGHTON, Mr. NADLER, Mrs. LOWEY, Ms. VELAZQUEZ, Ms. SLAUGHTER, Mr. LAFALCE, Mr. QUINN, and Mr. PAXON.  
 H.R. 3150: Mr. GONZALEZ, Mr. FRAZER, Ms. NORTON, Mr. UNDERWOOD, Ms. LOFGREN, and Mr. FROST.  
 H.R. 3153: Mr. CAMP and Mr. COOLEY.  
 H.R. 3161: Mr. LANTOS.  
 H.R. 3167: Ms. FURSE.  
 H.R. 3180: Mr. BENTSEN, Mr. LIPINSKI, and Mr. FAZIO of California.  
 H.R. 3167: Ms. WOOLSEY, Mr. KENNEDY of Massachusetts, Mr. FARR, Mr. STUPAK, and Mr. BORSKI.

H.R. 3195: Mr. WATTS of Oklahoma and Mr. NORWOOD.  
 H.R. 3224: Mr. BAKER of Louisiana and Mr. ENGLISH of Pennsylvania.  
 H.R. 3226: Ms. GREEN of Utah and Mrs. KELLY.  
 H.R. 3236: Mr. DICKEY.  
 H.R. 3246: Mr. FATTAH.  
 H.R. 3253: Mr. STUMP.  
 H.R. 3267: Mr. THOMPSON and Mr. HAMILTON.  
 H.R. 3286: Mr. BLUTE.  
 H.R. 3294: Mr. LANTOS.  
 H.J. Res. 70: Ms. FURSE.  
 H.J. Res. 90: Mr. QUILLEN.  
 H.J. Res. 164: Mr. PACKARD.  
 H. Con. Res. 10: Mr. BARRETT of Nebraska.  
 H. Con. Res. 47: Mr. GEKAS and Mr. ENSIGN.  
 H. Con. Res. 83: Mr. VENTO.  
 H. Con. Res. 145: Mr. FUNDERBURK.  
 H. Con. Res. 156: Mr. RANGEL, Mr. ENGLISH of Pennsylvania, Mrs. KELLY, Mr. SCOTT, Mr. EVANS, and Mr. PALLONE.  
 H. Res. 49: Mr. LANTOS.  
 H. Res. 359: Mr. CALVERT.  
 H. Res. 385: Ms. DANNER and Mr. JEFFERSON.

## DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1202: Mr. PETERSON of Florida.  
 H.R. 1972: Mr. TOWNS.  
 H.R. 2535: Mr. CHAMBLISS.  
 H.R. 2723: Mr. BISHOP.  
 H.R. 3024: Mr. TOWNS.

## DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 12 by Mrs. SMITH of Washington on House Resolution 373: John Elias Baldacci, Scott L. Klug, Bruce F. Vento, and Tom Campbell.